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Nigeria is a federal republic composed of 36 states and a capital territory, with an elected president and a bicameral legislature. In May 1999, President Olusegun Obasanjo of the Peoples Democratic Party (PDP) was inaugurated to a 4-year term after winning elections in February 1999 that were marred by fraud and irregularities perpetrated by all contesting parties. However, most observers agreed the elections reflected the will of the majority of voters. These elections marked the end of 16 years of military-led regimes. The Constitution provides for an independent judiciary. Although the judicial branch remained susceptible to executive and legislative branch pressures, the performance of the Supreme Court and decisions at the federal appellate level were indicative of growing independence. State and local judiciary were influenced by political leaders and suffered from corruption and inefficiency more so than the federal court system.

The Federal Nigeria Police Force (NPF) was tasked with law enforcement. The Constitution prohibits local and state police forces. Internal security was the duty of the State Security Service (SSS). "Rapid Response Teams," staffed by police, remained intact in most states, but these teams had a reduced role and a less menacing presence than in previous years. In response to increased incidents of armed robbery and other violent crime, the National Police instituted an aggressive anti-crime campaign dubbed Operation Fire for Fire, which was responsible for human rights abuses. The police were unable to control ethno-religious violence on numerous occasions during the year, and the Government continued its reliance on the army to quell many instances of communal violence. The degree of government control over the Rapid Response Teams and the national police force continued to improve during the course of the year. The police and members of other security forces, military, and anticrime squads committed serious human rights abuses.

The economy, which had been in decline for much of the last three decades, grew 3.9 percent in real terms in 2001, and most credible estimates project a slight decline this year. Inadequate infrastructure, endemic corruption, and general economic mismanagement hindered economic growth. Most of the population of approximately 120 million was rural and engaged in small-scale agriculture. The agricultural sector employed more than 65 percent of the population, but accounted for only 42 percent of gross domestic product (GDP). The agricultural sector deteriorated considerably during the oil boom decades and years of military rule, which contributed significantly to the country's urbanization and increased unemployment. The majority of economic activity was outside the formal sector. Much of the country's wealth remained concentrated in the hands of a small elite. Corruption, nontransparent government contracting practices, and other systems favored the wealthy and politically influential, including a banking system that impeded small and medium investors and regulatory and tax regimes that were not always enforced impartially. Infrastructure remained a problem and negatively affected the economy. A significant percentage of the country's population lived in poverty and were subject to malnutrition and disease.

The Government's human rights record remained poor; although there were improvements in several areas, serious problems remained. The national police, military, and security forces committed extrajudicial killings and used excessive force to apprehend criminal suspects and to quell several incidents of ethno-religious violence. Police, military, and security forces sometimes beat protesters, criminal suspects, detainees, and convicted prisoners. The Government continued

steps to curb torture and beatings of detainees and prisoners. In most cases, neither the state anticrime taskforces, the police, nor the military were held accountable for excessive force or the death of persons in custody. Shari'a courts sentenced persons to harsh punishments including amputations and death by stoning; however, no amputation or stoning sentences were carried out during the year. Prison conditions were harsh and life threatening, and the lack of sufficient food and adequate medical treatment contributed to the death of numerous inmates. Police and security forces continued to use arbitrary arrest and detention. Prolonged pretrial detention remained a serious problem. The judicial system often was incapable of providing criminal suspects with speedy and fair trials. Government authorities occasionally infringed on citizen's privacy rights. The Government generally respected freedom of speech and of the press; however, there were problems in some areas. The Government placed some limits on freedom of assembly and association, citing security concerns. There were governmental restrictions placed on freedom of religion. The Government occasionally restricted freedom of movement for security reasons in areas of unrest and used lethal force at checkpoints. The Human Rights Violations Investigation Panel (HRVIP) concluded its public hearings and in 2001 presented its findings and recommendations to the President, but the report has not been made public. In March the Government convened the Commission of Inquiry into communal clashes in Benue, Nassarawa, Plateau, and Taraba to investigate communal conflict in these areas, including the massacre of civilians by the military in Benue in 2001.

Domestic violence against women remained widespread, and some forms were sanctioned by traditional, customary, or Shari'a law. Discrimination against women remained a problem. Female genital mutilation (FGM) remained widely practiced in some parts of the country, and child abuse and child prostitution were common. Localized discrimination and violence against religious minorities persisted. Ethnic and regional discrimination remained widespread; however, interethnic, religious, and regional tensions lessened during the year. Some members of the Ijaw ethnic group in the oil-producing Niger Delta region who sought greater local autonomy continued to commit serious abuses, including kidnappings; however, unlike in the previous year, there were no reports of unlawful killings by militant Ijaw groups. Some restrictions on worker rights continued; however, there were improvements during the year. Some persons, including children, were subjected to forced labor. Child labor continued to increase. Trafficking in persons for purposes of prostitution and forced labor was a problem, and collusion of government officials in trafficking was alleged. Vigilante violence continued throughout the country, particularly in Lagos, Onitsha, and other parts of the South, where suspected criminals were apprehended, beaten, and sometimes killed. Nigeria was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

National police, army, and security forces committed extrajudicial killings or used excessive force to apprehend criminals and to quell several incidents of ethno-religious violence during the year. The Government did not use lethal force to repress nonviolent, purely political activities; however, lethal force sometimes was used when protests or demonstrations were perceived as becoming violent. Multinational oil companies and domestic oil producing companies subcontracted police and soldiers from area units particularly to protect the oil facilities in the volatile Niger Delta region. Freelance security forces and former security forces accounted for a significant portion of the violent crime during the year. Police were instructed to use lethal force against suspected criminals, suspected vandals near oil pipelines in the Niger Delta Region, and the Oodua Peoples Congress (OPC) vigilante group in Lagos State.

The Federal anticrime taskforce, also known as Operation Fire for Fire, was among the most frequent human rights offenders. Operation Fire for Fire was established in response to widespread public calls for the Government and police to address violent crime more vigorously. However, police and anticrime taskforce personnel committed extrajudicial killings in the apprehension and detention of suspected criminals. Police were instructed to use deadly force in order to subdue

violent criminals. According to Inspector General of Police Tafa Balogun, more than 200 criminals were killed by police and more than 800 were arrested. He also admitted that 41 civilians were killed either accidentally by police or by the criminals; 80 civilians were injured. Complaints have come from all quarters that Operation Fire for Fire has given a largely untrained police force broad latitude in using deadly force. In most cases, police officers were not held accountable for excessive or deadly force or the deaths of persons in custody. They operated with impunity in the apprehension, illegal detention, and sometimes execution of criminal suspects (see Section 1.d.).

During the year, police, military, and anticrime personnel continued to use lethal force against suspected criminals. For example, on February 18, police in Obiaruku, Delta State, reportedly killed 15 youths suspected of armed robbery. The National Senate ordered its Police Affairs Committee to investigate the incident. Findings of the Senate Police Affairs Committee were not published by year's end, and no arrests were made.

On April 7, in Ondo State, police reportedly shot and killed Flight Sergeant Augustine Ogbolu. In August family members filed a lawsuit accusing the police of executing Ogbolu following an allegation that he was an armed robber; the case was pending at year's end.

On June 10, while reportedly firing at robbery suspects, a Lagos policeman shot and killed Ikenna Asikaburu, an 18-year-old student who was waiting for a vehicle at a local motor park. Asikaburu's family filed a petition with the police requesting compensation for wrongful death. No compensation was paid and no charges were filed.

Security forces committed other unlawful killings during the year. For example, in January military personnel raided the town of Liama in Bayelsa, killing 3 persons and burning at least 60 houses, leaving hundreds homeless. The attack was thought to be a reprisal against local youths who earlier had kidnaped nine oil company employees and stolen four boats.

In March unrest between police and residents of Danja Local Government, Katsina State, claimed up to 25 lives and resulted in the destruction of many houses. According to the most credible reports, the incident arose after police arrested, tortured, and killed a water vendor. The death of the water vendor, combined with past incidents of police brutality, incited residents to demonstrate, which in turn led to the violent response by police. Police claimed that only six persons were killed in this incident. No police officers were arrested as a result of the incident.

In May in Lagos, police killed University of Lagos students Gbenga Akinmogan and Shakirat Owolabi. One police officer has been charged in the deaths, and charges were expected against seven other officers who were at the scene; one police officer fled the scene and was declared "wanted" in July.

In August in Edo State, a police sergeant was arrested and detained for the shooting death of John Osazuwa, a member of the State Committee on Forestry. The policeman allegedly shot Osazuwa for refusing to pay a \$153 (20,000 naira) bribe. The case was pending at year's end.

Violence and lethal force at police roadblocks and checkpoints continued during the year (see Section 2.d.). For example, in June in Lagos, customs officers reportedly shot and killed Agene Akinrinde, while attempting to extort money from motorists. A police investigation was pending at year's end, but no charges were filed.

On June 14, a policeman shot and killed Oluwatosin Adelugba, a 16-year-old student, at a Lagos checkpoint after the driver of a bus he was a passenger on refused to pay a bribe. The policeman was dismissed, arrested, and charged with the murder of the student; the case was pending at year's end.

In June in Lagos, police at a checkpoint shot and killed Nnamdi Francis Ekwuyasi and Akerele Marakinyo. Lagos State Police Commissioner Young Arebamen apologized to the victims' families following the incident. According to the Lagos State Police Command, the police officer involved in the shooting was arrested, detained, and charged with murder. The Center for Law Enforcement

Education (CLEEN) acknowledged the police force for the dismissal and arraignment of the officer.

Police and military personnel used excessive force and sometimes deadly force in the suppression of civil unrest, property vandalization, and interethnic violence, primarily in the oil and gas areas of the States of the Niger Delta and in Plateau State (see Sections 2.b. and 5). Although less frequent than in previous years, there were occurrences of summary executions, assaults, and other abuses carried out by military personnel and paramilitary mobile police across the Niger Delta. In August there were unconfirmed reports that four women in Ondo were killed after they trespassed on oil production platforms; oil company officials denied the reports. The Ondo government set up a committee to investigate the allegations; by year's end, the report still was pending and no one had been charged formally. Confrontations between increasingly militant "youths" (generally unemployed males between the ages of 16 and 40), oil companies, and government authorities continued during the year.

The Government deployed the army numerous times during the year to restore order when ethno-religious conflicts became violent (see Section 5). There were no credible reports that soldiers used excessive force while attempting to restore order, in part because troops already were maintaining order in several areas of the country. In other instances, it was reported that the deployment of the army stopped the violence, saving lives and property. On October 13, a Joint Security Taskforce of soldiers and the police killed 6 civilians during a communal clash involving Fulani and the inhabitants of Kassa-Haipang, Plateau.

President Obasanjo preferred to let the police deal with civil disturbances, deploying military reinforcements only in situations where the police were unable to restore order. In response to public pressure or formal requests from state governments, the Federal Government deployed the army on occasion to restore order after civil unrest, and units remained deployed in troubled areas for long periods during the year. There were reports that soldiers from some units committed serious abuses while performing this policing role, although the number of such incidents had decreased markedly from the previous year.

The Commission established in March to investigate the October 2001 killing of approximately 200 civilians in Benue State continued to gather evidence and hold hearings during the year. The Commission finished its public hearings by year's end but its report and findings were not finalized. No action was taken against security forces that used excessive and lethal force to restore order in October 2001 in Kano.

No action was taken against security forces in the following 2001 cases: The February killing of 10 persons and destruction of the headquarters of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) in Okigwe; the June shooting of an Ogoni man; the July killing of a local youth in Bayelsa State; the August killing of four PDP members at a checkpoint in Ebonyi State; the September killing of 22 detainees in Jos; and the death of four Igbo traders during a police raid.

The death sentence of three policemen for crimes of theft and the killings of five persons in Kogi State had been not carried out by year's end.

There were no developments in the May 2000 alleged killing by security forces of a young woman who obstructed the motorcade of Lagos Deputy Governor. The case was still pending in court.

No action was taken against the members of the security forces in the following cases from 2000: The police in Lagos who reportedly killed 509 suspected armed robbers and injured 113 robbery suspects during the course of making 3,166 arrests during that year; the security forces responsible for the killing of 28 Delta youths in March and April; the June killing of 2 persons in Abuja; the June killing of 5 persons for suspected vandalization; the July killing of 1 person when a strike was dispersed forcibly; and the August killing of a Nnamdi Azikiwe University student.

Criminal suspects died from unnatural causes while in official custody, usually as the result of neglect and harsh treatment. Unlike in the previous year, there were no reports that police killed persons suspected of belonging to the OPC if they found ceremonial cuts or marking on the detainees' backs. There were only a few cases in which members of the police were held

accountable for abuses. Harsh and life-threatening prison conditions and denial of proper medical treatment also contributed to the deaths of numerous inmates (see Section 1.c.).

Trials against Keniwer Imo Neweigha, Monday Diongoli, Timi Epengele, Onoriode David, Ebi Clifford Saibu, Derioteidou Aganaba, Timinepre Keren, Joshua Godspower, John Zitua, and Benson Odiowei for the alleged murder of 12 policemen and 6 civilians that sparked the 1999 leveling of Odi by federal troops, were ongoing at year's end. On May 6, a Lagos court determined that the prosecution had presented a prima facie case; although the trial was to begin May 27, there were no further developments during the year.

On July 11 charges against Mohammed Abacha, former President Abacha's son, for the 1996 murder of Kudirat Abiola, a prominent prodemocracy activist were dropped when the Supreme Court ruled that prosecutors failed to establish a prima facie case. Critics asserted that Supreme Court decision was erroneous and part of a deal between the Abacha family and the Government pursuant to which Abacha was released in exchange for the return of \$1.2 billion in stolen funds. On July 24, Abacha was granted bail while 111 lesser charges against him were still pending. On September 23, Abacha was released and was confined to Kano.

There were several killings by unknown persons that may have been politically motivated. For example, on June 11, Maria Theresa Nsa, a magistrate in Calabar, Cross River State, was found dead in her home after she denied bail to a group of murder suspects. Police said she had been hacked to death. There were no witnesses to the crime, but police vowed to hunt diligently for those responsible.

On August 29, in Enugu, Victor Nwankwo, managing director of a prominent publishing company, was killed near his home under questionable circumstances. Police concluded that Nwankwo was killed during an armed robbery, and on September 10, they arrested a man who allegedly had confessed to the crime. Nwankwo's brother Arthur, an outspoken author, activist, and political critic claimed Nwankwo was killed for political reasons and that an official conspiracy was underway to conceal the facts of the crime.

On October 15, in Enugu State, Professor Chimere Ikokwu, former vice chancellor of the University of Nigeria Nsukka, was shot in his home and died hours later in a hospital. The hospital staff reportedly refused to treat Ikokwu without first receiving a police report about the incident that caused his injuries. Police termed the killing an armed robbery and arrested 10 suspects the following day; however, civic groups alleged he may have been killed for political reasons.

There were no developments in the August 2001 incident in which unknown assailants shot and killed Rivers State Assemblyman Monday Ndor outside his residence.

In May 11 suspects were arraigned for the December 2001 killing of Osun State Representative Odunayo Olagbaju; in August 7 additional suspects were arrested but by year's end, the original 11 had been freed on bail. The incident remained under investigation.

At least 27 suspects were detained during the year in connection with the December 2001 killing of Justice Minister Bola Ige. In October 11 of the suspects were charged with the murder. No trial date had been set at year's end.

Killings carried out by organized gangs of armed robbers remained commonplace during the year. In most Southeastern states, state governments supported vigilante groups, the most well-known of which was the "Bakassi Boys," officially known as the Anambra State Vigilante Service. Like most vigilante groups, the Bakassi Boys killed suspected criminals rather than turn them over to police; in some cases, the Bakassi Boys mutilated alleged criminals, cutting off hands or arms, rather than killing the suspects. They also were accused of harassing and threatening political opponents of their sponsors.

CLEEN called on the Government to disband vigilante groups in a 45-page report released in May. CLEEN documented hundreds of cases in which the Bakassi Boys arbitrarily detained, tortured, and killed suspected criminals, church leaders, and political leaders. Vigilante groups reportedly set on

fire and mutilated suspected criminals. The report also criticized the actions of the OPC, the Egbesu Boys of Africa, and MASSOB.

In April members of Amnesty International (AI) witnessed an attempted summary execution in Anambra. According to the report, members of the Bakassi Boys poured gasoline on the victim, who already was bleeding and appeared badly beaten. When the vigilantes realized they were being observed, they placed the victim in a van and drove away.

On May 29, Bakassi Boys reportedly killed 20 persons in Onitsha, Anambra State and, on May 30, they publicly executed 8 persons in the same city. There were reports that the Bakassi Boys killed 23 persons in other locations in Anambra between May 24 and May 26. Despite the Bakassi Boys egregious misconduct, on June 10, the Governor of Ebonyi State announced that he planned to enact a law officially recognizing the Bakassi Boys.

In August in Abia State, police raided alleged "torture chambers" operated by the Bakassi Boys. A police spokesman reported 11 police officers were injured during the raid, and 1 civilian was killed.

Other organized vigilante groups in large cities, particularly Lagos and Kano committed numerous killings of suspected criminals. These vigilante groups engaged in lengthy and well-organized attempts to apprehend criminals after the commission of the alleged offenses. In Lagos State, the vigilante group the OPC clashed repeatedly with the police. On January 11, in Owo, Ondo, suspected supporters of the OPC clashed with a group of rival local youths. Police officers also reportedly were involved in the fighting. Credible estimates indicate up to 35 persons were killed in the clashes. Police in Ondo State declared Ganiyu Adams a wanted man following the incident. Police were investigating the matter at year's end.

No action was taken against members of vigilante groups who killed or injured persons during the year.

There continued to be numerous reports of street mobs apprehending and killing suspected criminals during the year, but no developments in cases from previous years. The practice of "necklacing" criminals (placing a gasoline-soaked tire around a victim's neck or torso and then igniting it, burning the victim to death) caught in the act occurred in several cities.

Political primaries held in June and July by the ruling PDP to determine candidates for 2003 local government elections turned violent in several states. A number of states postponed the primaries in all or large portions of their territory in anticipation of trouble. Other states canceled primaries when clashes between party factions became too difficult to control.

On June 30, two persons were killed in Delta during a local PDP caucus. In July 4 to 8 persons were killed in primary-related violence in Bayelsa State. There were unconfirmed reports that 50 persons were killed in Nembe, Bayelsa, in violence between two rival gangs, the Tama Boys and the Isoungufuro Youths. In Taraba two persons reportedly were killed and 10 injured in election-related violence. In Kaduna State, 15 persons reportedly were killed during the PDP primaries.

In August unknown assailants fatally shot the Kwara PDP chairman. No arrests were made in the case.

In September unknown assailants killed Barnabas Igwe, the Chairman of the Anambra State branch of the Nigerian Bar Association and his wife. Igwe was a leading lawyer and outspoken critic of the Anambra State Governor.

There were no developments in the October 2000 incident in which 4 persons were killed and 19 were injured critically during violent clashes between supporters of the All People's Party (APP) and PDP in Gusau, Zamfara.

Lethal interethnic, intraethnic, and interreligious violence occurred during the year at diminished levels (see Section 5). Sporadic communal violence continued between Tivs, Jukuns, and other

tribes in Taraba, Benue, Nassarawa, and Plateau States during the year, killing dozens of persons. Numerous persons were killed in frequent ethno-religious and communal violence throughout the year in Plateau.

During the year, members of student affinity groups, commonly known as cults, occasionally killed students from rival groups. Cultism in schools gradually was becoming a national issue. Rivalry and fighting between and among rival cultist groups in higher institutions has led to the killing of persons and destruction of property. University of Nigeria, Nsukka, in the east was closed when rival cultist groups engaged each other in a fight and three students reportedly were killed and property was destroyed. University of Calabar, University of Ibadan, and University of Ife in the south have been closed for the last 2 years due to violent cultist activities. At the Federal College of Education in Zaria in late September and early October, violence between Christian and Muslim students erupted over student elections. A dozen students reportedly were killed and more injured.

b. Disappearance

There were no reports of politically motivated disappearances during the year. There were no developments in the charges made by the OPC in 2000 that the police were responsible for the disappearance of at least two of its members.

Members of ethnic groups in the oil-producing areas kidnaped foreign and local oil company employees to press their demands for more redistribution of wealth generated by joint ventures with the state-controlled petroleum corporation. In all instances, the victims were released unharmed after negotiations between the captors and the oil firms; the firms usually paid ransoms and promised improved conditions.

There also were numerous instances of strictly criminal kidnaping, in which the perpetrators' objective was to obtain ransom payments for the release of the victims. During the year, there were a greater number of kidnapings by criminals to extort money than for "political" reasons. Some kidnapings, particularly in the Delta, appear to have been part of longstanding ethnic disputes over resources. Due to limited manpower and resources, the police and armed forces rarely were able to confront the perpetrators of these acts, especially in the volatile Delta region. A lack of resources prevented judicial investigations from taking place so kidnapings routinely were not investigated.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits cruel and degrading treatment and punishment, and the law provides for punishment of such abuses; however, during the year, police, military and security force officers regularly beat protesters, criminal suspects, detainees, and convicted prisoners. Police regularly physically mistreated civilians in attempts to extort money from them. The law prohibits the introduction into trials of evidence and confessions obtained through torture.

Different versions of criminal Islamic Shari'a law were in place in 12 northern states (see Section 2.c.). Shari'a courts delivered "hadd" sentences such as amputation for theft, caning for fornication and public drunkenness, and death by stoning for adultery. Because no applicable case has reached the federal level, federal appellate courts have yet to decide whether such punishments represent impermissible "torture or...inhuman or degrading treatment" as defined by the Constitution. In both common law and Shari'a courts, indigent persons without legal representation were more likely to have their sentences carried out immediately upon being sentenced; all accused persons have the right to appeal. The Government has instituted a panel of legal scholars to draft a uniform Shari'a criminal statute for all northern states to replace divergent Shari'a statutes adopted by the states; however, states continued to apply their individual codes.

Convicted Muslim criminals in Shari'a law states were subjected to public caning for various offenses, such as petty theft, public consumption of alcohol, and engaging in prostitution. For example, in January a Shari'a judge was flogged publicly after being convicted of consuming alcohol. Caning as a punishment under common law, the Northern Nigerian Penal Code, and Shari'a law has not been challenged in the court system as a violation of the cruel and inhuman punishment clause in the Constitution.

Stoning and amputation sentences have been overturned on procedural or evidentiary grounds not on constitutional grounds. For example, Safiya Hussaini was convicted of adultery and sentenced to death by stoning by a Shari'a court in Sokoto in September 2001. She filed an appeal challenging her conviction on numerous procedural, substantive, and factual grounds. On March 25, accepting many of the defense team's arguments, the Sokoto Shari'a Appeals Court overturned Hussaini's conviction. However, the constitutionality of these sentences will most likely not be determined until one of these cases reaches the federal appellate court system.

The Constitution permits capital punishment. In January a Katsina man was hanged in Kaduna State after being convicted in a Shari'a court of fatally stabbing a woman and her two children. The defendant requested to defend himself and did not have legal representation during his trial. Although Shari'a courts sentenced other persons to death, this was the only death sentence carried out under Shari'a law.

In April in Katsina, Amina Lawal was sentenced to death by stoning for adultery. In August her first appeal was denied, but the sentence was stayed pending further appeals. The case was before the Katsina Shari'a Appeals court, but no new trial date had been set at year's end.

In May a Jigawa man was convicted and sentenced to death by stoning for raping a 9-year-old girl, who later died. The man pleaded guilty and waived his right to appeal, but an appeal subsequently was filed on his behalf by relatives. In October the man withdrew his confession, claiming police tortured him into making the confession and, at the time of the forced confession, he was unaware that rape was a capital offense.

In June a Shari'a court in Bauchi convicted Yunusa Rafin Chiyawa of adultery, sentencing him to death by stoning. He was the first man convicted of adultery under Shari'a law. Aisha Haruna, his alleged partner, was acquitted. It was unclear whether the defendant would appeal his conviction.

In September a couple in Niger were convicted of adultery and sentenced to be stoned to death. The Shari'a court initially denied bail but later granted bail in October. Defense attorneys for the couple planned to appeal.

In September in Port Harcourt, a nongovernmental organization (NGO) charged that 20 MASSOB activists were detained unlawfully and tortured in Owerri, Imo State.

During the year, security forces beat persons. For example, in May in Lagos, four police officers and two soldiers reportedly beat five commercial motorcycle operators.

In August in Warri, Delta State, security agents allegedly beat and injured 800 women who were trespassing on the grounds of the headquarters of Shell and Chevron-Texaco; the authorities denied the allegations.

Security forces beat journalists during the year (see Section 2.a.).

Allegations of the involvement of government officials in trafficking was widespread (see Section 6.f.).

Although there were numerous ethnic clashes during the year (see Section 5), the number of persons who were beaten or injured severely was lower than in previous years. Unlike in previous years, the military was able to respond more quickly, due largely to the fact that military units already were deployed in some areas when violence broke out. The police generally lacked the resources to control communal violence (see Section 1.a.).

In early March, a federal high court in Makurdi, Benue State, ordered the withdrawal of troops sent to the state to end a conflict between ethnic Tiv and Jukun in 2001. In April Human Rights Watch, with support from the Kaduna-based NGO Human Rights Monitor, published a report entitled "Nigeria: Military Revenge in Benue." The report, in addition to citing the October 2001 massacre of

civilians by soldiers, also claimed that military forces stationed in the region until March were responsible for several cases of rape, extortion, and looting. The Benue Panel of Inquiry, convened in March, continued taking testimony and was investigating the incident at year's end.

Hamza Al Mustapha, Muhammed Rabo Lawal, Lateef Shofolahan, Mohammed Aminu, Colonel Yakubu, Ishaya Bamaiyi, James Danbaba, and Barnabas ("Rogers") Msheilia remained in detention under the secular criminal system as suspects in the 1996 attempted murder of Guardian newspaper publisher Alex Ibru; however, the trial was adjourned pending allegations by the defendants that the presiding judge demanded a bribe in exchange for releasing the defendants. The judge was cleared by an investigation panel, but the trial had not resumed by year's end.

There was no update in the June 2001 bombing in Bayelsa State.

Prison and detention conditions remained harsh and life threatening. Most prisons were built 70 to 80 years ago and lacked functioning basic facilities. Lack of potable water, inadequate sewage facilities, and severe overcrowding resulted in unhealthy and dangerous sanitary conditions. Some prisons held 200 to 300 percent more persons than their designed capacity. The Government acknowledged 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 estimated a higher number of inmates, perhaps as many as 47,000.

Disease was pervasive in the cramped, poorly ventilated facilities, 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 of numerous prisoners. According to the NGO Prisoners Rehabilitation and Welfare Action (PRAWA), dead inmates promptly were buried on the prison compounds, usually without notifying their families. A nationwide estimate of the number of inmates who die in the country's prisons was difficult to obtain because of poor record keeping by prison officials. PRAWA and other NGOs alleged that prison conditions were worse in rural areas than in urban districts.

In practice women and juveniles were held with male prisoners, especially in rural areas. The extent of abuse in these conditions was unknown. In most cases, women accused of minor offenses were released on bail; however, women accused of serious offenses were detained. Although the law stipulates that "no child shall be ordered to be imprisoned," juvenile offenders were incarcerated routinely along with adult criminals. There was no formalized procedure regarding the separation of detainees and convicted prisoners, and the method of confinement depended solely on the capacity of the facility; as a result, detainees often were housed with convicted prisoners.

According to the NHRC, 70 to 80 percent of the entire prison population was awaiting trial. Some had been waiting as long as 12 years, while many had approached the maximum length of their sentences. Multiple adjournments in some cases had led to serious delays (see Section 1.d.). In May in Lagos, hundreds of inmates awaiting trial filed suit with a Federal High Court in Lagos to challenge the constitutionality of the section of criminal procedure law invoked by magistrates to remand them to prison without standing trial. In October in Edo State, up to 100 prisoners reportedly were released unconditionally from 4 prisons after charges still had not been filed against them despite years in detention. Case files were missing for many of those released. The NHRC also reported it was able to secure the release of around 150 prisoners awaiting trial, most of whom had already exceeded the maximum sentence they could have received, had the case been tried. In December the Governor of Akwa Ibom State made a similar release of 17 prisoners.

The Ministry of Justice worked to create a judicial administration committee to address the questions of overcrowding, prison conditions, and rehabilitation. The NHRC began working with the

Ministry of Justice and the Legal Resources Consortium in 2001 to draft a new prisons' bill to conform with minimum standard rules of prisons practice and provisions of the U.N. The NHRC also urged the Government and police not to detain persons in civil cases.

The Government allowed international and domestic NGOs, including PRAWA and the International Committee of the Red Cross (ICRC), regular access to prisons; however, it did not allow them continuous access to all prisons. PRAWA and the ICRC published newsletters on their work. The Government admitted that there were problems with its incarceration and rehabilitation programs and worked with groups such as these to address those problems. However, groups such as Rotary International have reported difficulties in the past at the local level in gaining access to prisons and jails to do rehabilitation programs.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, security forces generally did not observe these prohibitions. Police and security forces continued to use arbitrary arrest and detention.

Police and security forces were empowered to make arrests without warrants based on a reasonable suspicion 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 police station for processing within a reasonable amount of time. By law police must provide suspects with the opportunity to engage counsel and post bail. However, police generally did not adhere to these procedures. Suspects routinely were detained without being informed of the charges, denied access to counsel and family members, and denied the opportunity to post bail for bailable offenses. Detainees often were kept incommunicado for long periods of time. The provision for bail often was arbitrary or subject to extrajudicial influence. In many parts of the country, there was no functioning system of bail, so many suspects were held in investigative detention for sustained periods of time. Numerous suspects alleged that police demanded payment before they were taken to court to have their cases heard. If family members attended court proceedings, police often demanded an additional payment.

Security forces detained journalists on a few occasions during the year (see Section 2.a.). Students in general no longer were singled out for arrest because of political activities; however, many students were detained during the year for allegedly taking part in cult or criminal activities on university campuses (see Section 1.a.).

During the year, police arrested labor leaders during strikes (see Section 6.b.).

In February in Onitsha, attorney Olusoga Omotayo filed suit against the Anambra State Police Commissioner, alleging illegal arrest and detention. Omotayo charged that he was detained illegally in December 2001. The matter still was pending at year's end.

On March 2, the SSS detained and interrogated for 16 hours Pastor Tunde Bakare after he returned to the country from Ghana. Bakare allegedly prophesied the fall of the Obasanjo government. Media reports claiming that his passport was confiscated could not be verified.

In June Ibrahim Onuomada, PDP youth leader in Enugu, filed charges against five police officers and a traditional ruler, alleging unlawful detention, threat to life, and extortion after he was detained during the year.

In September mobile policemen reportedly raided MASSOB's headquarters and made arrests following allegations that MASSOB and Bakassi Boys were responsible for the murders of Barnabas and Abigail Igwe in Anambra State. The Constitutional Rights Project (CRP), the pan-Yoruba group Afenifere, and the Catholic Archbishop of Lagos publicly criticized the police tactics used to deal with MASSOB. MASSOB leader Ralph Uwazurike claimed that 1,000 MASSOB

members remained in detention without charge in Umuahia, Abia State.

OPC members continued to be arrested and detained without trial. Others were charged as armed robbers and tried accordingly. In 2000 the Committee for the Defense of Human Rights reported that 302 OPC members were arrested following clashes with the police in Lagos. Of those detainees, 95 were released in 2000. The remaining detainees were not able to obtain legal representation and either could not make bail or were not eligible for bail due to the charges brought against them.

There were no new reports that IMO State prison officials worked with pretrial detainees to blackmail persons for bribes.

Lengthy pretrial 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 (see Section 1.e.). The Controller-General of prisons estimated that two-thirds of prisoners were detainees awaiting trial who had not been charged, other sources placed the number as high as 80 percent (see Section 1.c.). The NHRC urged the courts, the Ministry of Justice, and the police to expedite cases awaiting trial. Police cited their inability to transport securely detainees to trial on their scheduled trial dates as one reason why so many were denied a trial. The NHRC reported that some detainees were held because their case files had been lost.

Persons who happened to be in the vicinity of a crime when it was committed normally were held for interrogation for periods ranging from a few hours to several months. After their release, those detained frequently were asked to return repeatedly for further questioning. Police continued the practice of placing relatives and friends of wanted suspects in detention without criminal charge to induce suspects to surrender.

In 2000 Ismaila Gwarzo, the national security advisor to former Head of State General Sani Abacha, was placed under house arrest without any charges being brought. He remained restricted to his hometown in Kano State at year's end.

The Constitution prohibits the expulsion of citizens, and the Government did not use forced exile. Many citizens who had lived abroad due to fear of persecution under previous military regimes continued to return to the country during the year.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary. Although the judicial branch remained susceptible to executive and legislative branch pressure, decisions at the federal level were indicative of greater independence. The judiciary was influenced by political leaders particularly at the state and local levels. Understaffing, underfunding, inefficiency, and corruption continued to prevent the judiciary from functioning adequately. Citizens encountered long delays and frequent requests from judicial officials for small bribes in order to expedite cases. In September President Obasanjo wrote to the Senate requesting that the recommendations of the 1993 Esho Panel, whose purpose was to investigate corruption in the judiciary, that called for the "withdrawal" of 47 judicial officials be implemented.

Under the Constitution, the regular court system was composed of federal and state trial courts, state appeals courts, the Federal Court of Appeal, and the Federal Supreme Court. There also were Shari'a (Islamic) and customary (traditional) courts of appeal for each state and for the Federal Capital Territory (Abuja). Courts of the first instance include magistrate or district courts, customary or traditional courts, Shari'a courts, and for some specified cases, the state high courts. The Constitution also provides that the Government establish a Federal Shari'a Court of Appeal and Final Court of Appeal; however, the Government had not yet established such courts by year's end. The nature of the case usually determined which court had jurisdiction. In principle customary and Shari'a courts had jurisdiction only if both plaintiff and defendant agree. However, in practice fear of legal costs, delays, distance to alternative venues, and individual preference caused many litigants to choose the customary and Shari'a courts over the regular venues (see Section 1.c.).

Criminal justice procedures call for trial within 3 months of arraignment for most categories of crimes; however, there were considerable delays, often stretching to several years, in bringing suspects to trial (see Section 1.d.). Trials in the regular court system were public and generally respected constitutionally protected individual rights in criminal cases, including a presumption of innocence, and the right to be present, to confront witnesses, to present evidence, and to be represented by legal counsel. However, there was a widespread perception that judges easily were bribed or "settled," and that litigants could not rely on the courts to render impartial judgments. Most detainees were poor and could not afford to pay the costs associated with moving their trials forward, and as a result they remained in prison. Wealthier defendants employed numerous delaying tactics and in many cases used financial inducements to persuade judges to grant numerous continuances. Such practices clogged the court calendar and prevented trials from starting.

Many courts were understaffed, and personnel were paid poorly. Judges frequently failed to appear for trials, often because they were pursuing other means of income. In addition, court officials often lacked the proper equipment, training, and motivation to perform their duties, again primarily due to inadequate compensation.

There were no legal provisions barring women or other groups from testifying in civil court or giving their testimony less weight; however, the testimony of women and non-Muslims usually was accorded less weight in Shari'a courts.

In response to ongoing petitions by the Movement for the Survival of the Ogoni People (MOSOP) and the Saro-Wiwa family, the Oputa Human Rights panel submitted its recommendations to the Presidency regarding the possible reversal of the Auta Tribunal's conviction Saro-Wiwa and the Ogoni-9 in October 1995. The appeal aimed to clear the names of Saro-Wiwa and the Ogoni activists, who were executed by the regime of Sani Abacha in November 1995. Final decisions on this and several other petition cases had not been published by year's end. The nine MOSOP members executed by the Abacha regime, who had been buried in unmarked graves, reportedly were exhumed and reburied.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence

The Constitution prohibits such actions; however, authorities at times continued to infringe on these rights.

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. Human rights groups called for the police to end the practice.

Purdah, the Islamic practice of keeping girls and women in seclusion from men outside the family, continued in parts of the country, which restricted the freedom of movement of women.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

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.

The Government owned and controlled numerous publications; however, there was a large and vibrant private domestic press that frequently was critical of the Government. There were two national, government-owned daily newspapers in English, the New Nigerian and the Daily Times. The New Nigerian published an additional Hausa edition. Several states owned daily or weekly newspapers that also were published in English. They tended to be produced poorly, have limited

circulation, and required large state subsidies to continue operating. By year's end, there were more than 10 major daily newspapers, two newsmagazines, and several sensational evening newspapers and tabloid publications.

Decree 60 created the Press Council, which was charged with the enforcement of professional ethics and the sanctioning of journalists who violated these ethics. Decree 60 attempted to put control of journalism in the hands of journalists who were appointed by and received payment from the Government. Decree 60 gave the Press Council the power to accredit, register, and suspend journalists; required that publications be registered by the Council annually through a system entitled "Documentation of Newspapers;" and empowered the Council to approve a code of professional and ethical conduct to guide the press and to ensure compliance by journalists. The Press Council opened an office and hired staff in Abuja; however, it did not take any official action during the year. While the decree never has been used to sanction any journalists, many journalists fear that the existence of the decree and the Council could place significant limitations on freedom of the press in the future. On January 30, Senator Jonathan Zwingina, chairman of the Senate Committee on Information, told members of the National Broadcast Commission (NBC) that the National Assembly still was reviewing the Decree 60 press laws.

Editors reported that government security officers sometimes visited or called to demand information about a story or source; however, journalists and editors no longer feared suspension or imprisonment for their editorial decisions. Local NGOs suggested that actual human rights abuses and killings were underreported due in part to self-censorship by newspaper editors and owners. State broadcasters and journalists remained important tools for civilian governors; these officials used the state-owned media to showcase the state's accomplishments and to promote their own political goals.

During the year, there were few cases of threats against and attacks on the press. On February 14, ten policemen in Lagos allegedly beat journalist Adeyemi Adebajo.

A High Court in Kogi State ordered the arrest of the Daily Times' managing director and editor for contempt of court after the two ignored an order prohibiting them from publishing any further stories about Kogi State Governor Abubakar Audu. The arrest orders were not enforced by year's end, and the newspaper has stopped publishing similar stories.

The Deputy Governor of Zamfara State issued a "fatwah" death sentence on Isioma Daniels, one of the journalists responsible for an article about the Miss World Pageant that sparked violence in Kaduna (see Section 2.c.). The Government and most Islamic leaders criticized the Deputy Governor and declared the fatwah improper.

There were no further developments in the following 2001 cases: The beating of a photographer by police; the May burning of publications on MASSOB in Imo State; and the detention and charge of libel against Nnamdi Onyeuma.

There were no further developments in the 2000 detention of journalists Emmanuel Okike-ogah, Ogbonaya Okorie, and Ademola Adegbamigbe and his photographer.

Because newspapers and television were relatively expensive and literacy levels were low, radio remained the most important medium of mass communication and information. There was a national radio broadcaster, the Federal Radio Corporation of Nigeria, which broadcast in English, Hausa, Yoruba, Igbo, and other languages; 51 state radio stations broadcast in English and local languages. There were six private radio stations operating during the year. In February the NBC, the body responsible for the deregulation and monitoring of the broadcast media, licensed 16 new private radio stations, including Atlantic FM broadcasting in French, Spectrum FM mainly for news, Brilla FM for sports, and a University of Lagos station specializing in academic broadcasting.

International broadcasting, principally Voice of America and British Broadcasting Corporation, as well as Deutsche Welle and others, broadcast in English and Hausa and were an important source of news in the country. Several international broadcasting organizations reported that their

accreditation renewals initially were denied but they later were allowed to reapply.

In March the Director-General of the Federal Radio Corporation of Nigeria (FRCN), Mr. Eddie Iroh, stopped the Kaduna branch of the FRCN from airing the political advertising of Presidential aspirant Alhaji Abubakar Rimi. FRCN reportedly refunded a portion of Rimi's payments. The Independent National Electoral Commission (INEC) and the NBC supported the decision, contending that it was too early to begin campaigning since INEC had yet to issue guidelines. However, reporting about events sponsored by persons and organizations supporting the re-election campaign of President Obasanjo was carried by government-owned broadcasters.

Igha Oghole, a journalist with Radio Benue, Makurdi, who was detained in January 2001, was released during the year.

The National Television Station, NTA, was federally owned, and 30 states also operated television stations. There were nine privately owned television stations that broadcast domestic news and political commentary. There were two private satellite television services. The law requires that local television stations limit programming from other countries to 40 percent and restricted the foreign content of satellite broadcasting to 20 percent; however, the Government did not restrict access to, or reception of, international cable or satellite television.

In 2001 the NBC threatened to take private television and radio stations off the air when the stations refused to pay 2.5 percent of their gross income to the NBC; the Independent Broadcasters Association of Nigeria (IBAN) challenged the fees in court. In October 2001, President Obasanjo set the annual fee for the broadcasters at \$1,300 (150,000 naira). In 2001 the NBC also prevented the commissioning of the Here and There television station in Oyo State, ruling that the original license had expired. The NBC also challenged expansion plans by African Independent Television (AIT), a part of Daar Communications, claiming that AIT's global and terrestrial licenses do not allow them to act as a network. AIT has been allowed to expand.

While private television and radio broadcasters remained economically viable on advertising revenues alone, despite the restrictions that the Government imposed on them, government-sponsored broadcasting companies complained that government funding and advertising were inadequate for their needs.

Foreign journalists who sought to enter the country to cover political developments generally have been able to obtain visas. In April the Government announced that Time (International) magazine reporter Stephen Faris was subject to arrest for publishing a "false" report alleging a bribery scandal in the country. The magazine accused Minister of Information and National Orientation, Professor Jerry Gana, of offering bribes of \$400 (50,000 naira) to foreign journalists to write more positive reports on the country. President Obasanjo established an investigative panel, which concluded that the magazine report was false and was intended to damage the nation's international image. At year's end, there had been no follow-up by the Government.

The Government did not restrict Internet access, although unreliable and costly telephone service limited access and hindered service providers. Government-owned NITEL operated an Internet Source Provider (ISP) that competed with dozens of privately owned ISPs.

The Government continued to take concrete steps to address the problems in the education sector and to restore academic freedom; however, the quality of secondary education remained poor. The Government identified a Coordinator for the U.N.'s Education for All program and began collecting baseline education data to identify deficiencies. Student groups alleged that numerous strikes, inadequate facilities, and the rise of cultism (or gangs) on campuses, particularly in the South, continued to hamper educational progress (see Section 1.a.). On several occasions during the year, protests by students resulted in harassment and arrest by police forces (see Section 1.d.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respected this

right, although some limits remained. In areas that experienced recent communal violence, police and security forces permitted public meetings and demonstrations on a case-by-case basis.

The Government continued nominally to require organizers of outdoor public functions to apply for permits, although both government authorities and those assembling often ignored this requirement. The Government retained legal provisions banning gatherings whose political, ethnic, or religious content might lead to unrest. Open-air religious services away from places of worship remained prohibited in many states due to fears that they might heighten inter-religious tensions. For example, various northern states, including Plateau, Kano, Zamfara, and Kaduna, banned public gatherings immediately following periods of ethno-religious violence, but they did so in consultation with a number of religious and traditional groups, as well as local governments, in order to prevent a recurrence of the violence. The Ondo State ban on open-air religious events remained in effect during the year. For most of the year, the September 2001 ban by the Kaduna State government on processions, rallies, demonstrations, and meetings in public places still was being enforced on a case-by-case basis.

A security forces committee ban on all political, cultural, and religious meetings in Plateau State following ethno-religious violence in Jos, the state capital, continued to be implemented on an ad hoc basis (see Section 5).

Police continued to disrupt meetings of the OPC and maintained a ban on the organization. Police also reportedly harassed members of the Bakassi Boys, Egbesu Boys, MASSOB, MOSOP, and other groups.

On March 7, in Enugu State, police raided a weekly religious crusade led by Catholic priest Father Ejike Mbaka. In the resulting melee, at least 14 persons were killed and several others seriously injured. The police later detained Enugu Catholic Vicar General Reverend Obiora Ike, allegedly for criticizing the State government's role in the incident. Enugu State Assembly Representative Nwabueze Ugwu filed a petition with the Human Rights Commission in Abuja accusing Governor Chimaroke Nnamani of killing his brother and of having ordered the raid on the crusade. There were other accusations from credible sources implicating Governor Nnamani in the attack on the worshippers. According to media reports, 2 persons were killed and 20 injured when police disrupted a March 14 protest of the March 7 incident.

On August 8, one person reportedly was killed and several others injured in Warri, Delta State when security forces disrupted a rally against the neglect and degradation of the region's environment (see Section 1.c.).

No action was taken against security forces who killed or injured persons while forcibly dispersing protests in 2001.

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. The Constitution allows the free formation of political parties, and the number of parties registered with INEC doubled to six in June. INEC cited the constitutional requirement that political parties demonstrate Federal Character in order to determine which parties to register. Due to INEC's stringent interpretation of this requirement, more than 20 other parties were denied registration. The unsuccessful parties challenged INEC's standards, and in November the Supreme Court ruled that the INEC standards were too restrictive. In early December, INEC allowed the previously unregistered bodies to register.

c. Freedom of Religion

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 certain respects. The implementation of an expanded version of Shari'a law in 12 northern states continued during the year.

The Constitution prohibits state and local governments from adopting an official religion; however, some Christians alleged that Islam had been adopted as the de facto state religion of several northern states that have reintroduced Shari'a criminal law and continued to use of state resources to fund the construction of mosques, the teaching of Alkalis (Muslim judges), and pilgrimages to Mecca (Haji). However, government funds also were used by some states to pay for Christian pilgrimages to Jerusalem. In general states with a Christian or Muslim majority favored the majority faith. For example, in January Governor Joshua Dariye declared that he would make Plateau State a center for Christianity. Both the federal and state governments were involved in religious matters, including the regulation of mandatory religious instruction in public schools, subsidized construction of churches and mosques, state-sponsored participation in the Hajj, and pilgrimages to Jerusalem. Muslims in some predominately Christian states complained about religious discrimination. Approximately half of the population was Muslim, approximately 40 percent Christian, and roughly 10 percent practiced traditional indigenous religions or no religion.

The Constitution provides that states may elect to use Islamic (Shari'a) customary law and courts. The Constitution states that a Shari'a court of appeal may exercise "such other jurisdiction as may be conferred upon it by the law of the State." States interpreted this language as granting them the right to expand the jurisdiction of their existing Shari'a courts to include criminal matters. After the adoption of Shari'a in Zamfara in 2000, other northern states implemented forms of expanded Shari'a. By the end of 2001, 12 northern states had adopted variations of Shari'a law—Zamfara, Sokoto, Kebbi, Niger, Kano, Katsina, Kaduna, Jigawa, Yobe, Bauchi, Borno, and Gombe. Adherence to Shari'a provisions was compulsory for Muslims in some states and optional in others and enforcement varied by locale.

In November 2001, Kaduna State established a modified version of Shari'a law. The criminal and procedural codes did not come into effect until July, and national human rights groups reported that the courts in Kaduna issued several sentences for minor offenses in September. These sentences did not include corporal punishment.

Christian and Islamic groups planning to build new churches or mosques were required to register with the Corporate Affairs Commission (CAC). The CAC did not deny registration to any religious group during the year; however, some religious groups experienced delays in obtaining permission from local zoning boards to build houses of worship. Many nascent churches and Islamic congregations ignored the registration requirement, and a small number had their places of worship shut down because of enforcement of zoning laws. Some persons claimed that enforcement of these laws was selective. In August the Christian Association of Nigeria (CAN) issued a communiqué in which it criticized the destruction of churches in the North.

Christians in the predominantly Muslim northern states alleged that local government officials used zoning regulations to stop or slow the establishment of new churches. Officials responded that many of these new churches were being formed in residential neighborhoods not zoned for religious purposes. The CAN offices in Zamfara and Sokoto States alleged that local authorities delayed or denied to Christians certificates of occupancy (CO's), which were required to show title to land. Zamfara and Sokoto State officials denied that religious discrimination influenced the cases cited by CAN. State officials said the certification boards were dealing with a large backlog of cases for all persons, regardless of religious faith. Muslims complained that they were denied permission to build mosques in the predominantly Christian southern states of Abia and Akwa Ibom.

Although the Government does not prohibit or discourage conversion from or to a particular religion, there were media reports that in April two men were brought to trial by Zamfara State for converting from Islam to Christianity. Prosecutors sought the death penalty; however, the judge found that the Zamfara State Shari'a code did not explicitly criminalize apostasy and he determined there was no legal basis for the case. Nevertheless, he gave the men 3 days to reconsider their alleged conversion and for the Zamfara Government to furnish a legal basis why he should hear the case. The men were accused of joining an evangelical church; however, they claimed they never were Muslims but were ethnic Magazawa, a Hausa subgroup that long has practiced Christianity. There was no further action in this case by year's end.

The law prohibits religious discrimination; however, reports were common that state and local

government officials discriminated against persons practicing a religion different from their own, notably in hiring or awarding contracts, and private businesses frequently were guilty of informal religious and ethnic discrimination in their hiring practices and purchasing patterns.

Unlike in the previous year, there were no reports that political party members were suspended because of religious belief or adherence.

According to media reports, in July 21 nurses in the Federal Medical Center in Azare, Bauchi State were fired for not wearing "Shari'a compliant dresses," and the Zamfara State government required Muslim dress for secondary students.

As a result of ethno-religious violence related to the expansion of Shari'a criminal law in 2000 (see Section 5), several northern state governments continued to ban public proselytizing during the year, although it is permitted by the Constitution. The Katsina and Plateau State governments maintained a ban on public proselytizing for security reasons during the year; however, some groups were allowed to carry out activities despite these formal bans, which generally were enforced on a case-by-case basis. Unlike in the previous year, there were no reports that missionaries were harassed for proselytizing. Both Christian and Muslim organizations alleged that the Ministry of Foreign Affairs and the Immigration Department restricted the entry into the country of certain religious practitioners, particularly persons suspected of intending to proselytize. Proselytizing did not appear to be restricted in the southern part of the country.

The Government continued to enforce a ban on the existence of religious organizations on campuses of primary schools, although individual students retained the right to practice their religion in recognized places of worship. According to the Constitution, students were not required to receive instruction relating to a religion other than their own; however, public school students in parts of the country were subjected to mandatory Islamic or Christian religious instruction. State authorities claimed that students were permitted to decline to attend these classes or to request a teacher of their own religion to provide alternative instruction. However, there were no teachers of "Christian Religious Knowledge" in many northern schools. There were reports that in Enugu and Edo States Muslim students could not access "Islamic Religious Knowledge" in the public schools.

Although distribution of religious publications generally remained unrestricted, the Government periodically continued to enforce a ban on published religious advertisements. There were reports by Christians in Zamfara State that the state government restricted the distribution of Christian religious literature.

The Government acknowledged the legal authority of states to implement criminal Shari'a. Although expanded Shari'a laws technically do not apply to non-Muslims, some non-Muslims, especially in Zamfara State, have been affected by certain social provisions of the laws, such as the separation of the sexes in health facilities; bans on the sale of alcohol and alcohol consumption; and decisions by some entrepreneurs not to engage in certain activities because of concern for Shari'a restrictions. In some states, cases involving only Muslims must be heard by a Shari'a court. Other states with Shari'a law still permitted Muslims to choose common law courts for criminal cases; however, societal pressure forced most Muslims to use the Shari'a court system. There were no challenges to the constitutionality of Shari'a during the year.

A number of states sanctioned private vigilante Shari'a enforcement groups that formed in states with expanded Shari'a law. Zamfara State vested the local vigilante group with full powers of arrest and prosecution because the state believed police were not enforcing the new Shari'a laws. Jigawa State also mobilized a statewide Shari'a enforcement committee to arrest, detain, and prosecute Muslim offenders. Informal Shari'a enforcement groups may have been used for some law enforcement functions in other northern states as well.

On November 20, protesters destroyed the Kaduna office of ThisDay newspaper after the paper published an article about the Miss World Pageant that many Muslims felt insulted their religion. Fueled by looters and persons with political motives, the demonstration spread. More than 200 persons were killed and thousands fled their homes seeking protection at government facilities, mainly military installations. Two Christian clerics died and several churches reportedly were

burned. More than 100 persons were arrested, and investigations into the violence were ongoing at year's end. Despite widespread calls from elements of society, the responsible journalists were not jailed nor was the newspaper shut down. In December the Zamfara State Deputy Governor pronounced a "fatwah" death sentence against Isioma Daniels, the journalist responsible for the November ThisDay article. Most Muslim leaders and the Government strongly criticized Deputy Governor Shinkafi's statement saying that the fatwah was wrong and that Shinkafi did not have the legal or religious authority to order it.

Religious differences often corresponded to regional and ethnic differences. For example, the northern region was predominately Muslim. Many southern ethnic groups were predominantly Christian, although the Yoruba were approximately 50 percent Muslim. Both Muslims and Christians were found in large numbers in the Middle Belt. In many areas of the Middle Belt, Muslim Fulani tended to be herders, while the Muslim Hausa and most Christian ethnic groups tended more toward farming or urban living. It often was difficult to distinguish religious discrimination and tension from ethnic, regional, economic, and land use competition. Often religious tensions underscored what were predominantly ethnic and economic confrontations during the year. The Middle Belt experienced recurring ethno-religious violence during the year but overall violence decreased markedly from the previous year's levels.

In February between 60 and 100 persons were killed when Yoruba youth clashed with Hausa residents in the Idi-Araba area of Lagos. The incident was caused by interethnic tensions but had some religious overtones.

There also were several incidents in which Muslim youths vandalized Christian churches. For example, in June there were unconfirmed reports that Muslim youths set fire to four churches in Dutse, Jigawa State.

Ethno-religious conflict continued in many parts of Plateau during the year. There was no single incident that matched the violence and destruction of the September 2001 fighting in and around Jos; however, repeated outbreaks of violence caused dozens of deaths and resulted in the destruction of places of worship, shops, and homes. According to local leaders and other observers, because of this violence, Muslims moved away from Langtang and Christians vacated the village of Wase by year's end.

Existing tensions between Christians and Muslims caused minor incidents, such as a traffic accident, to escalate into communal violence. For example, a dispute apparently began after a Muslim man proposed marriage to a Christian woman. The woman's brother beat her, and when her fiancée intervened, a fight ensued. What began as a family dispute quickly expanded to other parts of the community, assuming ethnic and religious overtones as it spread. The Plateau State Government convened the Plateau State Peace Summit to address the problem of communal and religious violence in the state. An NGO that specialized in conflict resolution also was involved actively in the state.

There were no developments in the 2001 and 2000 incidents of interreligious violence.

For a more detailed discussion see the 2002 International Religious Freedom Report.

c. Freedom of Movement Within the Country, Foreign Travel, Emigration and Repatriation

The Constitution provides for these rights, and the Government generally respected them; however, police occasionally restricted freedom of movement by enforcing curfews in areas with ethno-religious violence. A curfew was imposed in Kaduna after the late November rioting that resulted in more than 200 deaths. Roadblocks and checkpoints routinely were used by law enforcement agencies to search for criminals and to prevent persons traveling from areas of conflict to other parts of the country where their presence might instigate retaliatory violence. There were no reports of government officials restricting mass movements of individuals fleeing ethnic unrest.

Security and law enforcement officials continued to use excessive force at checkpoints and

roadblocks and engage in extortion and violence. Police claimed to have arrested more than 500 officers on charges of extortion between June and September (see Section 1.a.).

The Constitution prohibits the denial of exit or entry to any citizen, and the Government generally respected this law. The law also provides that women are required to obtain permission from a male family member before having an application for a passport processed; however, this provision was not enforced strictly. 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.

There were no reports that the Government denied passports to political figures or journalists or interrogated citizens who were issued visas to foreign countries; however, there continued to be sporadic but unconfirmed reports that persons were questioned upon entry or exit to the country at Murtala Mohammed international airport. These persons, all of whom had been opponents of the Abacha regime, remained in immigration computer systems as individuals to be questioned by immigration or security officers. The SSS arrested Dr. Tajudeen Abdul Raheem, Chairperson of the International Government Council of the Centre for Democracy and Development (CDD), on December 3 at Murtala Mohammed Airport as he prepared to depart for England. Although the SSS released Dr. Raheem the following day, his passport was not returned. Authorities stated his name appeared on a watch list.

The Lagos office of the U.N. High Commissioner for Refugees (UNHCR) estimated that 20,000 Nigerian refugees, mostly ethnic Fulani herders, were in Cameroon at year's end. The refugees had fled eastern Benue and Taraba States following ethno-religious clashes between the Tiv and Jukun peoples in January. The organization also estimated up to 100 additional Ogoni refugees arrived in Benin, bringing the total number of Ogoni refugees in that country to approximately 1,000.

During periods of ethno-religious violence, numerous persons were displaced from their places of residence. For example, in September and October 2001, several hundred thousand persons were displaced due to the ethnic conflict in Benue, Taraba, and Nassarawa States (see Section 5). In April media reports stated that three persons were killed and an undisclosed number injured when unknown gunmen assaulted displaced Tivs attempting to return to Taraba State. No arrests were made during the year. Hundreds of Tiv attempting to return to their homes in Taraba and Nassarawa were forced to return to Benue after non-Tiv residents of these states attacked them. Officials in Benue estimated that as many as 6,000 Tiv internally displaced persons (IDPs) were unable to return to their homes in other states. Other observers estimated that fewer than 1,000 persons remained.

In October 2001, following ethno-religious violence in Kano, many Igbo and Yoruba residents sent their families south. Many have returned. After ethno-religious violence in Plateau and Bauchi States in September and October 2001, thousands of Hausa residents fled the city of Jos in Plateau and towns in Bauchi where they had been attacked, and many of these Hausa have not returned. Many persons fleeing ethno-religious violence first found refuge in military barracks, police compounds, and other public places; some persons still were living in such government buildings at year's end. In July President Obasanjo directed the National Commission for Refugees (NCR) to assist IDPs rendered homeless during communal crises; however, it was not evident if aid was provided by year's end.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated with the UNHCR and other humanitarian agencies in assisting refugees through the NCR and its Federal Commissioner. The Eligibility Committee, which governed the granting of refugee status, asylum, and resettlement, reviewed refugee and resettlement applications. A representative from the UNHCR participated in this committee. The issue of the provision of first asylum has not arisen since the establishment of the NCR.

There were an estimated 7,000 recognized refugees living in the country. By October 299 refugees had been repatriated from Nigeria to Sierra Leone through UNHCR. Remaining refugees included others from Sierra Leone, Liberia, Chad, Rwanda, and the Democratic Republic of the Congo. UNHCR's census of the refugees in the country had not been published at year's end. The

Government also provided residence in the country to 3 Cameroonians, 3 Chadians, 5 Sudanese, 13 Liberians, and 17 persons from other countries. The NCR reported that it provided education and health service programs to the refugees. The NCR reportedly also set up micro-credit programs for refugees in the areas of trading, poultry and fish farming, and cassava processing.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully through periodic free and fair elections held on the basis of universal suffrage. Citizens exercised this right in national elections for president and the National Assembly in February 1999. Voter apathy and widespread fraud marred the legislative elections; however, the turnout increased for the presidential race, which proceeded peacefully with reports of only a few violent incidents. Irregularities occurred at each stage of the electoral process. International observers confirmed the results and stated that, despite widespread fraud, Obasanjo's victory reflected the will of the majority of voters. Obasanjo, 109 senators, 360 members of the House of the National Assembly, and 36 governors and state assemblies assumed office in May 1999.

The President, Vice President, and other national and state officials serve 4-year terms. The next state and national elections are scheduled for 2003. Local government elections were scheduled for May but were postponed until the registration of new parties as well as voter registration were completed. Voter registration, originally scheduled for November 2001, was delayed until September. INEC claimed the lack of government funding was the major reason for the delay; however, INEC critics also strongly questioned INEC's expertise and independence from the Government. When the exercise was carried out in September, there was widespread dissatisfaction amid charges that millions of eligible voters were unable to register due to an apparent shortage of registration materials. In addition, there were allegations of improper hoarding of registration materials by politicians. Local elections were postponed twice during the year because of the delay in voter registration. In November INEC announced that local elections would take place in February 2003.

The Constitution outlaws the seizure of the Government by force and contains provisions for the removal of the President, Vice President, ministers, legislators, and state government officials for gross misconduct or medical reasons. Several public officials were scrutinized closely by the press, public, and legislative investigators. During the year, there were several attempts to impeach President Obasanjo, Senate President Anyim, and Speaker Na'Abba. In August the House of Representatives issued a "resign or be impeached ultimatum" to President Obasanjo. Most of the opposition to the President came from legislators within his own party. In addition to the impeachment threat, public criticism of the President has been frequent and, at times, harsh; the President did not resort to force or intimidation to stifle the impeachment threat or the public criticism against him.

The political system remained in transition. The three branches of the Government acted somewhat independently. Despite his party's substantial majority in the legislature, the President was not able to exercise authority without legislative oversight and inclusiveness. The Senate and the House of Representatives took legislative responsibilities such as budget review and oversight, the election reform initiative, and resource allocation seriously, however, legislative and executive ineffectiveness and inability to compromise resulted in little substantive legislation. President Obasanjo created several commissions to investigate official corruption and human rights abuses, and these commissions received numerous petitions to present evidence of wrongdoing (see Section 4).

The Constitution was promulgated in May 1999. The drafting of the Constitution was criticized for not being open to enough participants and for not being subjected to wider debate on the country's federal structure, revenue allocation, power-sharing formulas, and minority ethnic groups' rights. Complaints about the Constitution persisted, and there were continued calls for a national conference to reexamine the constitutional and political structure of the country.

In December 2001, the President signed an electoral law that extended the tenures of local

governments by rescheduling local elections in 2003. State governors and state assemblies contested the provision as an infringement on the states' constitutional power to control local government. The President vetoed an amended bill that mandated all state and national elections must take place on the same day in 2003, but in September both houses overrode the President's veto. INEC filed a lawsuit, claiming the provisions to hold local and federal elections in one day was an unconstitutional interference with its authority.

In early December, the Supreme Court ruled that INEC's interpretation of an existing law was faulty, and new political parties would be allowed to participate at all levels in 2003.

During the year, the judiciary issued several important constitutional decisions that will help define federalism based on the rule of law, including that the National Assembly lacked the authority to extend the tenure of local governments and the decision that delimited the distribution of oil revenues.

There were no legal impediments to political participation or voting by women. Men continued to dominate the political arena, and NGOs continued to protest the limited representation of women in the political process. Although there were more than 500 ministerial and National Assembly positions, there were only 6 female ministers, 3 female senators, and 12 female representatives. Women's rights groups lobbied local and state governments, as well as the Government, to adopt a 30 percent affirmative action program; however, these efforts were unsuccessful. The PDP waived the party filing fees for women seeking PDP nominations for various political offices to encourage more female candidates.

There were no legal impediments to participation in government by members of any ethnic group. The Constitution requires that government appointments reflect the country's "federal character." However, there were more than 250 ethnic groups, and it was difficult to ensure representation of every group in the Government (see Section 5). The federal and state level ministers generally were selected to represent the country's and state's regional, ethnic, and religious makeup. President Obasanjo attempted to create an ethnically inclusive Government. Despite this effort, many groups complained of insufficient representation. Middle Belt and Christian officers dominated the military hierarchy. Some persons in the North believe that the northern Hausa were underrepresented in the military.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views. Criticism of the Government's past human rights' record was abundant in various media. However, in October CLEEN claimed that more than 2,000 copies of the report "Hope Betrayed? A Report on Impunity and State-Sponsored Violence in Nigeria" were impounded at the customs office in Lagos, due to "alleged political undertones of a subversive nature within the report." CLEEN also claimed that security service agents harassed three drafters of the report.

Human rights activists continued to complain that President Obasanjo and members of his Government did not meet with them as frequently as they did during the early years of his administration.

The Catholic Secretariat continued to hold a monthly open forum in Lagos on various subjects relating to past and present human rights issues. Discussion panels included a number of NGOs, media, and religious leaders. Each session ended with recommendations to the Government on how best to resolve these issues. The Government had not responded to any of these recommendations by year's end.

On May 27, the Gambia-based African Commission on Human and People's Rights (ACHPR) ruled that the past military governments violated the rights of Ogonis in the Delta region. The ACHPR

found that military regime security forces had terrorized and killed Ogonis with impunity. In November the NCR visited Ogoniland with a UNHCR representative on a fact-finding mission to assess Ogoni living conditions. The Commissioner acknowledged the sacrifices made by the Ogoni people for the development of democracy and began a dialog on behalf of the Federal Government. The mission's report was pending at year's end.

The ICRC was active, with offices in Abuja and Lagos under the direction of a regional delegate. Its primary human rights activities during the year involved the training of prison officials on human rights, sanitation, and prisoner health (see Section 1.c.).

A number of groups spoke out against the October 2001 killings of civilians in Benue by soldiers and called for a full investigation. The Commission of Inquiry into Communal Clashes in Benue, Nassarawa, Plateau, and Taraba States began its investigation in March, and its proceedings continued at year's end.

The NHRC, which was tasked with monitoring and protecting human rights in the country, enjoyed greater recognition by and coordination with NGOs, and worked to establish its credibility as an independent monitoring body. The NHRC was chaired by retired Justice Uche Omo and included 15 other members. The NHRC established zonal affiliates in each of the country's six political regions during the year. Since its inception, the NHRC has been denied adequate funding to do its job properly. The NHRC created a strategic work plan for the year and inaugurated steering and coordinating committees for the national action plan to be deposited with the UNCHR on December 10. During the year, it assisted in obtaining release for more than 100 prisoners detained without charge.

The HRVIP, commonly known as the Oputa panel, was a one-time panel established in 1999 by President Obasanjo to investigate human rights abuses from 1966 to 1999. The Oputa Panel was authorized to recommend courses of action to the justice system for perpetrators of past abuses, something the NHRC did not do. According to Justice Oputa, the chair, the panel's primary goal was to provide the country with a systematic examination of past human rights abuses to develop a national consensus on the boundaries of acceptable behavior by government entities as well as individuals. The panel heard cases throughout 2001, mostly involving allegations of unlawful arrest, detention, and torture as far back as the 1966 Biafran War. The panel also heard cases in which the rights of groups were violated. The Oputa Panel held extensive hearings in Lagos, Abuja, Port Harcourt, and Kano during 2001, and took evidence in the claims of more than 10,000 petitioners. The panel presented its findings to the President in late May and recommended compensation for victims of the worst human rights abuses; no one was compensated by year's end. President Obasanjo appeared before the panel to explain his role in army actions during his tenure as military head of state in the late 1970s. The family of late musician Fela Kuti claimed that Obasanjo was involved in a 1979 army raid in which Kuti's mother was killed.

After he and other former Heads of State refused to appear before the Oputa Panel in 2001 to answer questions, in June former Head of State Ibrahim Babangida filed a lawsuit banning the implementation of the panel's findings. In October Minister of Information and National Orientation, Professor Jerry Gana, reported that the Government would wait for all pending lawsuits to be decided before determining whether to publish the panel's recommendations.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides citizens with the right to freedom from discrimination based on community, place of origin, ethnic group, sex, religion, or political opinion. However, customary and religious discrimination against women persisted, social discrimination on the basis of both religion and ethnicity remained widespread, and ethnic and regional tensions continued to contribute to serious violence both between citizens and the security forces and between groups of citizens.

Women

Domestic violence was a problem. Reports of spousal abuse were common, especially those of

wife beating. Police normally did not intervene in domestic disputes, which seldom were 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 estimated that spousal abuse occurred in 20 percent of adult relationships. In more traditional areas of the country, courts and police were reluctant to intervene to protect women who accused their husbands formally if the level of alleged abuse did not exceed customary norms in the areas. Rape and sexual harassment continued to be problems. In March the Legislative Advocacy Commission on Violence Against Women submitted a bill on violence against women to the House of Representatives.

The Federal Government publicly opposed FGM; however, it took no legal action to curb the practice. There were no federal laws banning FGM. Because of the considerable problems that anti-FGM groups faced at the federal level, most refocused their energies to combat FGM at the state and local government area (LGA) level. In October Bayelsa State enacted a law prohibiting FGM, and penalties for breaching the law were a monetary fine or prison term. In 2000 Edo, Ogun, Cross River, Osun, and Rivers States banned FGM. In Edo State, the punishment was a \$8 (1,000 naira) fine and 6 months' imprisonment. However, once a state legislature criminalized FGM, NGOs found that they had to convince the LGA authorities that state laws were applicable in their districts.

The Women's Center for Peace and Development (WOPED) estimated that at least 50 percent of women undergo FGM. Studies conducted by the U.N. development systems and the World Health Organization estimated the FGM rate at approximately 60 percent among the nation's female population. However, according to local experts, the prevalence may be as high as 100 percent in some ethnic enclaves in the south. While practiced in all parts of the country, FGM was more predominant in the southern and eastern zones. Women from northern states were less likely to undergo FGM; however, those affected were more likely to undergo the severe type of FGM known as infibulation. The age at which women and girls were subjected to the practice varied from the first week of life until after a woman delivers her first child. WOPED believed that the practice was perpetuated because of a cultural belief that uncircumcised women were promiscuous, unclean, unsuitable for marriage, physically undesirable, and were potential health risks to themselves and their children, especially during childbirth. The Ministry of Health, women's groups, and many NGOs sponsored public awareness projects to educate communities about the health hazards of FGM. They worked to eradicate the practice, and trained health care workers on the medical effects of FGM; however, contact with health care workers remained limited. Nevertheless most observers agreed that the number of women and girls who underwent FGM declined each year.

Prostitution was a serious social problem, particularly in urban areas. A number of states began to enforce existing laws or to introduce new laws to combat prostitution. All states that have adopted Shari'a have criminalized prostitution, and this ban was enforced with varying degrees of success. Prostitution was not illegal in Lagos State; however, authorities used statutes that outlaw pandering as a justification to arrest prostitutes. Edo State outlawed prostitution in 2000.

There was an active market for trafficking in women (see Section 6.f.).

In some parts of the country, women continued to be harassed for social and religious reasons. Purdah continued in parts of the far north (see Section 1.f.).

Women also experienced considerable discrimination. There were no laws barring women from particular fields of employment; however, women often experienced discrimination because the Government tolerated customary and religious practices that adversely affected them. The Nigerian NGOs Coalition expressed concern about continued discrimination against women in the private sector, particularly in access to employment, promotion to higher professional positions, and in salary inequality. There were credible reports that several businesses operated with a "get pregnant, get fired" policy. Women remained underrepresented in the formal sector but played an active and vital role in the country's informal economy. While the number of women employed in the business sector increased every year, women did not receive equal pay for equal work and often found it extremely difficult to acquire commercial credit or to obtain tax deductions or rebates as heads of households. Unmarried women in particular endured many forms of discrimination.

While some women made considerable individual progress both in the academic and business world, women remained underprivileged. Although women were not barred legally from owning land, under some customary land tenure systems only men could own land, and women could gain access to land only through marriage or family. In addition, many customary practices did not recognize a woman's right to inherit her husband's property, and many widows were rendered destitute when their in-laws took virtually all of the deceased husband's property. Widows were subjected to unfavorable conditions as a result of discriminatory traditional customs and economic deprivation. "Confinement" was the most common rite of deprivation to which widows were subjected, and it occurred predominately in the East. Confined widows were under restrictions for as long as 1 year and usually were required to shave their heads and dress in black. In other areas, a widow was considered a part of her husband's property, to be "inherited" by his family. Shari'a personal law protects widows' property rights. Polygyny continued to be practiced widely among all ethnic and religious groups. Women were required by law to obtain permission from a male family member to get a passport (see Section 2.d.). In practice, the testimony of women was not given the same weight as that of men in many criminal courts (see Section 1.e.).

Women were affected to varying degrees by the adoption of various forms of Shari'a law in 12 northern states. In Zamfara State, local governments instituted laws requiring the separation of Muslim men and women in transportation and health care. In violation of mainstream Shari'a jurisprudence, some Alkali judges subjected women to harsh sentences for fornication or adultery based solely upon the fact of pregnancy, while men were not convicted without eyewitnesses unless they confessed (see Section 1.c.).

Children

While the Government increased spending on children's health in recent years, it seldom enforced even the inadequate laws designed to protect the rights of children. Public schools continued to be inadequate, and limited facilities precluded access to education for many children. The Constitution calls 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. In many parts of the country, girls were discriminated against in access to education for social and economic reasons. The literacy rate for men was 58 percent but only 41 percent for women. Rural girls were even more disadvantaged than their urban counterparts. Only 42 percent of rural girls were enrolled in school compared with 72 percent of urban girls. Many families favored boys over girls in deciding which children to enroll in secondary and elementary schools. When economic hardship restricted many families' ability to send girls to school, many girls were directed into activities such as domestic work, trading, and street vending.

While most schools in the north traditionally have separated children by gender, it was required by law in Zamfara, Sokoto, and Kebbi State schools (see Section 2.c.).

Cases of child abuse, abandoned infants, child prostitution, and physically harmful child labor practices remained common throughout the country (see Sections 6.d. and 6.f.). The Government criticized child abuse and neglect but did not undertake any significant measures to stop customary practices harmful to children, such as the sale of young girls into marriage (see Section 6.f.). There were credible reports that poor families sold their daughters into marriage as a means of supplementing their incomes. Young girls sometimes were forced into marriage as soon as they reached puberty, regardless of age, in order to prevent the "indecent" associated with premarital sex.

FGM was performed commonly on girls (see Section 5, Women).

Persons with Disabilities

While the Government called for private business to institute policies that ensured fair treatment for persons with disabilities, it did not enact during the year any laws requiring greater accessibility to buildings or public transportation, nor did it formulate any policy specifically ensuring the right of persons with disabilities to work. The Government established vocational training centers in Abuja to provide training to beggars with disabilities.

National/Racial/Ethnic Minorities

The country's population was ethnically diverse, and consisted of more than 250 groups, many of which spoke distinct primary languages and were concentrated geographically. There was no majority ethnic group. The four largest ethnic groups, which comprised two-thirds of the country's population, were the Hausa and Fulani of the north, the Yoruba of the southwest, and the Igbos of the southeast. The Ijaw of the South Delta were the fifth largest group, followed by Kanuri in the far northeast, and the Tiv in the Middle Belt.

The Constitution prohibits ethnic discrimination by the Government. In addition, the Constitution mandates that the composition of the federal, state, and local governments and their agencies, as well as the conduct of their affairs, reflect the diverse character of the country in order to promote national unity and loyalty. This provision was designed as a safeguard against domination of the Government by persons from a few states or ethnic and sectional groups. The Government was an example of this diversity: President Obasanjo is a Yoruba from the southwest, the Vice President is a northerner, and the Senate President is an Igbo. The Government also attempted to balance other key positions among the different regions and ethnic groups. The Senate used its oversight role to reject many of Obasanjo's ambassadorial appointments and insisted on three nominees from each state for each appointment. The political parties also engaged in "zoning," the practice of rotating positions within the party among the different regions and ethnic groups to ensure that each region was given adequate representation. Nonetheless, claims of marginalization, particularly by members of southern minority groups and Igbos, continued; in particular, the ethnic groups of the Niger Delta continued their calls for high-level representation on petroleum issues and within the security forces. Northern Muslims, who lost previously held positions within the military hierarchy, accused the Government of favoring Yorubas or Christians from the Middle Belt for those positions. Traditional linkages continued to impose considerable pressure on individual government officials to favor their own ethnic groups for important positions and patronage.

Ethnic minorities, particularly in Delta, Rivers, Bayelsa, and Akwa Ibom States, have claimed environmental degradation and government indifference to their status in the Delta despite the fact that most of oil wealth comes from the Niger Delta region. Groups such as the Ijaw, Itsekiri, Urhobo, Isoko, and Ogoni continued to express their unhappiness about their perceived economic exploitation and the environmental destruction of their homelands, and incidents of ethnic conflict and confrontation with government forces continued in the delta area (see Sections 1.a. and 1.b.). Other ethnic groups saw the Kaiama Declaration, which claimed the entire Delta the property of the Ijaw, as threatening their rights. Disparate organizations of youths from a variety of ethnic groups continued to take oil company personnel hostage in the Delta Region (see Section 1.b.). Many oil companies continued to employ local police and, in some cases, military troops to protect their facilities and personnel. Local youths claimed that the companies' security personnel engaged in unlawful killings and other human rights abuses (see Section 1.a.). According to Human Rights Watch, soldiers, naval personnel, and paramilitary Mobile Police deployed across the Niger Delta carried out summary executions, assaults, and other abuses on an ongoing basis.

In July approximately 150 Itsekiri women, protesting their perceived marginalization, occupied Chevron's Escravos oil export terminal. They vacated the facility 9 days later after negotiations with Chevron.

In 2000 the Niger Delta Development Commission (NDDC) was created to facilitate local development and to grant more local autonomy over the expenditure of resources derived from the Delta; however, the NDDC did very little during the year.

Competing economic aspirations among smaller ethnic groups related to the control of state and local governments led to violent conflicts during the year.

Societal discrimination on the basis of ethnicity was practiced widely by members of all ethnic groups and was evident in private sector hiring patterns, de facto ethnic segregation of urban neighborhoods, and a continuing paucity of marriages across major ethnic and regional lines. There was a long history of tension among some ethnic groups (see Section 2.c.).

Conflict over land rights and ownership continued among members of the Tiv, Kwalla, Jukun, and Azara ethnic groups; each of these groups resided at or near the convergence of Nassarawa, Benue, and Taraba States. The Tiv, who were thought to have migrated to the country later than other inhabitants of the disputed area, were regarded as interlopers by the "indigenous" ethnic groups despite the fact that they predominate in much of Benue and parts of other states.

In January in Nassarawa State, approximately 100 persons died in communal clashes. Also in January, clashes between Fulani herders and local farming communities resulted in the deaths of 40 persons in Taraba State.

In March in Cross River State, approximately 40 persons died in fighting between the Apiapum and Ufatura communities.

Communal violence occurred throughout the year in Plateau State. Dozens died as local communities continued to compete for scarce resources. The State Government reported that criminals and hired mercenaries from other areas of Nigeria, Chad, and Niger added to the violence after being hired and induced by some communities to attack rival villages in the state. In October police reported that a team of military and police killed six attackers.

In September and October 2001, ethno-religious unrest in Jos resulted in the deaths of 2,300 persons and the internal displacement of approximately 15,000 persons. Approximately 80 percent of the victims in Jos were Hausa Muslims, who constituted a significant minority in Jos. The military was able to restore order, but thousands of Hausa fled Plateau for Kaduna, Kano, Jigawa, and Bauchi. This conflict appeared to have been primarily ethnic and secondarily religious. Christians of different ethnic groups reportedly attacked each other, and Yoruba Muslims joined in targeting their Hausa co-religionists. There were reports of some IDPs returning to Plateau, but numbers cannot be confirmed and by most credible estimates the majority of the IDPs have not returned.

The violent border dispute in the east between Cross River and Akwa Ibom States diminished during the year. Communal violence also abated between Jukun-Kuteb (Taraba State). There were no new reports of communal clashes between Aguleri-Umuleri, Anambra State or Ife-Modakeke, Osun State, by the year's end.

There were no developments in 2001 incidents of ethnoreligious violence.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides all citizens with 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. Only a single central labor federation, the Nigerian Labor Congress (NLC), was permitted by law, and the Government recognized only 29 trade unions. Trade unions were required to be registered formally by the Government, and a minimum of 50 workers was required to form a trade union. Nonmanagement senior staff members were prevented from joining trade unions, and senior staff associations were denied a seat on the National Labor Advisory Council (NLAC). The International Labor Organization (ILO) Committee of Experts repeatedly has cited several of these restrictions. The Government has not amended the laws, but it has conducted discussions with senior staff associations concerning formal recognition and their accession to the NLAC.

Workers, except members of the armed forces and employees designated as essential by the Government, may join trade unions. Essential workers included 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 (EPZ) may not join a union until 10 years after the start-up of the enterprise (see Section 6.b.).

According to figures provided by the NLC, total union membership was approximately 4 million. Less than 10 percent of the total work force was organized. With the exception of a small number of workers engaged in commercial food processing, the agricultural sector, which employed the bulk of the work force, was not organized. The informal sector, and small and medium enterprises, largely remained unorganized.

The Government has mandated a single trade union structure with service and industrial unions grouped under the NLC. The trade union movement was composed of two groups consisting of junior and senior staff workers. The single trade union structure and segregation of junior from senior staff were intended to dilute the bargaining strength of workers. Junior staff workers, primarily blue-collar workers, were organized into the 29 industrial unions that were affiliated with the NLC; 21 associations make up the Trade Union Congress (TUC). The TUC has a claimed membership of approximately 400,000 to 600,000. The TUC, which was composed primarily of white-collar workers, has not been sanctioned officially by the Government, and was prohibited by statute from affiliating with the NLC. The TUC lacked a seat on the NLAC.

The Maritime Workers Union continued to challenge the Government's decertification during the year.

The ILO cited a number of restrictions on freedom of association, including requiring all registered labor unions to affiliate with a single central labor federation (the NLC); establishing a minimum of 50 workers to form a trade union; providing for the possibility of compulsory arbitration; giving the registrar broad powers to supervise trade union accounts; and giving the Government discretionary power to revoke the certification of a trade union due to overriding public interests. However, in August the Government ratified several ILO conventions.

Complaints of antiunion discrimination could be brought to the Ministry of Labor for mediation, conciliation, and resolution.

The NLC and labor unions were free to affiliate with international bodies; however, prior approval from the Minister was required. The NLC had affiliated with the Organization of African Trade Unions.

b. The Right to Organize and Bargain Collectively

The labor laws provide for both the right to organize and the right to bargain collectively between management and trade unions. Collective bargaining occurred throughout the public sector and the organized private sector. The Labor Minister could refer unresolved disputes to the Industrial Arbitration Panel (IAP) and the Nigerian Industrial Court (NIC). Union officials questioned the effectiveness and independence of the NIC in view of its refusal in previous years to resolve various disputes stemming from the Government's failure to fulfill contract provisions for public sector employees. The NIC was reconstituted in 2001 with several new members, including a formerly imprisoned trade unionist, Milton Dabibi. Union leaders criticized the arbitration system's dependence on the Labor Minister's referrals. The Labor Minister made several referrals to the IAP during the year. The IAP and NIC were active following the Government's appointment of new members; however, both suffered from a lack of resources.

A worker under a collective bargaining agreement could not participate in a strike unless his union complied with the requirements of the law, which included provisions for mandatory mediation and for referral of the dispute to the Government. The law allows the Government discretion to refer the matter to a labor conciliator, arbitration panel, board of inquiry, or the National Industrial Court. The law forbids any employer from granting a general wage increase to its workers without prior government approval. However, in practice the law does not appear to be enforced; strikes, including in the public sector, were widespread and private sector wage increases generally were not submitted to the Government for prior approval.

Workers had the right to strike; however, certain essential workers were required to provide advance notice of a strike. On January 17, NLC President Adams Oshiomhole was arrested during

a general strike to protest the Government's 15.3 percent fuel price hike. Oshiomhole and several supporters were charged with "unlawful assembly and inciting the general public against the Government." The Government and an Abuja court called the strike "illegal." The NLC argued that it had exercised a legitimate right to strike. Oshiomhole was released on bail, and there was no further action in this case during the year.

On February 1, police in 14 states held a 1-day strike to demand payment of one-year's wage arrears. The Government declared that striking police officers would be prosecuted for mutiny. In August it was reported that 64 officers had been dismissed in Akwa Ibom State for their participation in the strike. On March 6, the government dismissed Police Inspector General Musiliu Smith, replacing him with Tafa Balogun. The Government pledged to triple the size of the police force and to speed promotions. There also were reports of a planned strike by junior officers in the military. Military leadership denied that a strike was being planned and also warned junior officers that to strike was mutiny and punishable by death. No such strike ever occurred.

In May the Nigerian Union of Railwaymen (NUR) struck over the nonpayment of 3 months' salary. In July strikes were held by the Lagos State Truck Owners Association, Port Harcourt dockworkers, and Shell (SPDC) contract workers. Members of the Medical and Health Workers Union struck in August at teaching hospitals, including Lagos University State Hospital.

During the year, there were smaller strikes over the increased use of contract labor and the lack of indigenous workers in management positions in the oil sector, particularly in the Niger Delta. The National Union of Petroleum and Natural Gas Workers (NUPENG) and its senior staff counterpart Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) were particularly concerned about the increasing use of contract labor and the number of indigenous workers in management positions. NUPENG and PENGASSAN staged a 2-day warning strike in September to protest the government's plan to privatize the four national refineries.

In Anambra State, teachers went on strike during the year to demand a year's back pay. Despite several protests and labor disruptions, the Anambra State Government still owed workers 7 months' salaries by year's end. The state civil service was nearly paralyzed as many workers declined to work until salary arrears were paid.

There were no new developments in the 2000 dispute over Lagos State government's reluctance to pay a higher minimum wage to public sector workers. A compromise package offered by the state was accepted by the workers in 2001; however, the local union leadership pressed for more pay.

There were no laws prohibiting retribution against strikers and strike leaders, but strikers who believed they were victims of unfair retribution could submit their cases to IAP, with the approval of the Labor Ministry. The IAP's decisions were binding on parties but could be appealed to the NIC. In practice the decisions of these bodies infrequently carried the force of law. Union representatives described the arbitration process as cumbersome and time-consuming, and an ineffective deterrent to retribution against strikers.

The Government retained broad legal authority over labor matters and often intervened in disputes seen to challenge key political or economic objectives. However, the labor movement increasingly was active on issues affecting workers. During the year, the NLC spoke out on economic reform, fuel price deregulation, privatization, globalization, tariffs, corruption, contract workers, and political issues.

EPZs in Calabar, Cross River State, and Onne Port, Rivers State, operated during the year. Workers and employers in these zones were subject to national labor laws, which provided for a 10-year amnesty on trade unions, strikes, or lockouts for a period of 10 years following the commencement of operations within a zone. In addition, the law allows the Export Processing Zones Authority to handle the resolution of disputes between employers and employees instead of workers' organizations or unions. The Export Processing Zones Decree has been criticized by the ILO for not allowing any unauthorized person to enter any EPZ.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor; however, there were reports that it occurred (see Section 6.f.), and enforcement of the law was not effective.

The Government does not prohibit specifically forced and bonded labor by children; however, the prohibition on forced labor extends to children. There were occasional reports of forced child labor, including child slavery rings operating between Nigeria and neighboring countries (see Sections 5 and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits employment of children less than 15 years of age in commerce and industry and restricts other child labor to home-based agricultural or domestic work. The law states that children may not be employed in agricultural or domestic work for more than 8 hours per day. The Decree allows the apprenticeship of youths at the age of 13 under specific conditions.

Economic hardship resulted in high numbers of children in commercial activities aimed at enhancing meager family income. The ILO estimated that approximately 12 million children between the ages of 10 and 14 (25 percent of all children) were employed in some capacity. Children frequently were employed as beggars, hawkers, and bus conductors in urban areas. The use of children as domestic servants was common.

Private and government initiatives to stem the growing incidence of child employment continued but were ineffective. UNICEF operated programs that removed young girls from the street hawking trade and relocated them to informal educational settings. UNICEF reported that 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 2001, the ILO and the Labor Ministry signed a formal agreement establishing the program; however, the program had not shown any results by year's end due to logistical problems and changing personnel in the Ministry.

The Labor Ministry had an inspections department whose major responsibilities included enforcement of legal provisions relating to conditions of work and protection of workers. However, there were fewer than 50 inspectors for the entire country, and the Ministry conducted inspections only in the formal business sector, in which the incidence of child labor was not significant.

There were reports of forced child labor (see Section 6.f.).

e. Acceptable Conditions of Work

The law sets a minimum wage, which was reviewed infrequently. Real private sector wages greatly exceeded the minimum wage. After a lapse of several months, police began receiving payment during the year. In September NLC president Adams Oshiomole announced that he had reached a compromise with the Government to implement a 25 percent pay raise over 2 years; however, The Government never formally acknowledged the agreement.

In 2000 the minimum wage increased to \$50 (7,500 naira) per month for federal workers and from \$40 to \$48 (5,000 to 6,500 naira) per month for state employees. Private employers in the formal sector tracked the public sector wage scale. Along with the many allowances that were paid, the increase appeared to be sufficient for a decent standard of living. However, many government agencies were slow to pay the new wage scale, and most federal salaries were frozen for 3 months, pending a census of government employees. Ghost workers (who appeared on the employment rolls but not on the job) remained a significant problem that was not addressed fully during the year. The Government directed each State administration to establish its own salary structure based on its ability to pay and in accord with the national minimum wage; however, the Government increased federal salaries in 2000 to \$48 (6,500 naira) without adequate consultations with state governments, whose employees demanded similar wages. As a result, several state governments

