

Decree No. 2 of 1984, as amended by Decree No. 11 of 1994 (State Security /Detention of Persons Decree), was reported to have been used. This decree authorizes the security forces to detain individuals whom they consider to pose a security threat for three months without trial; further, the right to apply for habeas corpus has been abrogated by Decree No. 14 of 1994. The WG declared the detentions to be arbitrary.

Decision No. 6 (1996) related to the cases of General Olusegun Obasanjo, former Head of State and 19 other persons, including a journalist, the vice-chairman of Campaign for Democracy, the Editor-in-Chief of *The Sunday Magazine*, and the editor of *Classique* magazine. The defendant, along with 40 other unidentified detainees were reported to have been convicted by the Special Military Tribunal, on charges ranging from treason to the publishing of articles deemed critical of the government. The information received indicated that their trials by the Special Military Tribunal were riddled with unfair practices including: the fact that the Military Tribunal was composed of military officers exclusively; failure to meet the standards of independence and impartiality guaranteed in the provisions of various international legal instruments; denial of the right to counsel of choice; lack of permission for the defendants to address the court in regard to their defence; denial of the opportunity to call witnesses on their behalf; denial of access to the details concerning the charges against them; and, trial *in camera*. The information also indicated that the Tribunal had the power to impose death sentences, order public executions and issue life prison terms and had supplanted the civilian judicial process in trials involving human rights and pro-democracy activities. The information stated that the right to appeal had also been suppressed by the Military Tribunal. The decision also addressed the cases of the Chairman of the Campaign for Democracy, the Chairman of Human Rights Africa and the Head of the Civil Liberties Organization's Human Rights Education Program who had been arrested without warrants and were being held incommunicado. The WG declared all of the detentions to be arbitrary.

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1997/60, paras. 15, 16, 20, 21, 24, 31, 103; E/CN.4/1997/60/Add.1, paras. 365–367)

The reports refer to the priority given by the Special Rapporteur (SR) to the visit to Nigeria pursuant to Commission on Human Rights resolution 1996/79. In April, June, July, September and October 1996, the SR, together with the SR on the independence of judges and lawyers, requested an invitation from the Nigerian government to permit them to carry out an on-site fact-finding mission to the country during that year; their efforts were unsuccessful. At the time the report was finalized, no visit had taken place and negotiations between the government and the two Special Rapporteurs had not yielded any concrete results.

Independence of judges and lawyers, Special Rapporteur on: (paras. 11, 13–14, 16, 24, 142)

The report provides an overview of the procedural difficulties encountered by the Special Rapporteur (SR) related to his efforts to conduct a joint mission to Nigeria with the SR on extrajudicial, summary or arbitrary execution.

Religious intolerance, Special Rapporteur on: (E/CN.4/1997/91, paras. 9, 17, 25)

The report to the CHR makes a brief reference to violations of religious freedom against Christianity. The interim report to the General Assembly (A/52/477, paras. 25, 28, 33, 38, 46) notes that communications were sent to the government related to violations of religious freedom against all religions and all religious groups and communities, including through the imposition of controls on and interference with religious activities.

Sale of children, child prostitution, child pornography, Special Rapporteur on the: (E/CN.4/1997/95, para. 46)

The report notes that child prostitution has entered Nigerian society and reportedly become a thriving business. Further, it is no longer the case that children are exported from neighbouring countries; they are also rather trafficked within the country. The report refers to: small girls traded as prostitutes to older men; kidnapping and sale, or at tempted sale of children; the placement of teenage girls in the custody of women who groom them to patronize men sexually; and, incidents of small children who have no money being lured by men to film halls where they are made to watch sex films as an introduction to the rudiments of sex.

Torture, Special Rapporteur on: (E/CN.4/1997/7, Section III; E/CN.4/1997/7/Add.1, paras. 348–351)

The report notes information received indicating that the use of torture and other forms of ill-treatment against persons detained for political reasons was widespread and refers to State Security (Detention of Persons) Decree No. 2 of 1984, allowing for political detainees to be held indefinitely, incommunicado, and without an opportunity to challenge the legality of their detention. The report states that, in practice, the detainees were reported to have been held incommunicado in overcrowded and unsanitary cells, with inadequate food and washing facilities, and without exercise or exposure to fresh air. The Special Rapporteur (SR) recalled the deep concern expressed by the Human Rights Committee in 1996 with regard to: cases of torture, ill-treatment, and arbitrary arrest and detention by members of the army and security forces; the failure of the government to investigate fully these cases, to prosecute alleged offences, to punish those found guilty and to provide compensation to the victims or their families; and, the use of incommunicado detention.

The SR conveyed information to the government related to reports of torture and ill-treatment of a number of the 43 people convicted in March 1995 on charges of attempting to overthrow the government. An urgent appeal was also sent, jointly with the Working Group on Arbitrary Detention, on behalf of 17 MOSOP supporters who had been held since late March 1996, reportedly to prevent them from meeting with the UN mission that visited Nigeria in April 1996. A second urgent appeal was sent on behalf of the Chairmen of the Environmental Rights Action and the Southern Zone of the Civil Liberties Organization who were reported to have been arrested while leaving Nigeria to attend an environmental conference in Ghana. A third urgent appeal was sent on behalf of a founding member of the National Democratic Coalition who was reported to have been arrested by the State Security Service.