

bank and particular person, a woman is often asked for her husband's written permission as additional collateral, a practice that is also applied to cases of goods on hire purchase and in obtaining passports, especially if the names of the children are to be included in the passport.

The report acknowledges that the government has taken some measures to protect the rights of women including the establishment of a Ministry for Women's Affairs — which is also represented at the state level — and involvement of the Ministry in development issues affecting rural women through assistance in farming, handicrafts and textile-making. The report notes, however, that many women in the urban areas have yet to see concrete results from Ministry's development programme. Measures aimed at promoting education as a tool to improve the situation of girls have not yet had a perceptible positive impact. And, despite requests, no information has been made available by the government regarding the effectiveness of the Ministry in combatting the practices of forced marriage, female genital mutilation and other discriminatory practices against women arising from customary laws.

On children's rights, the report notes that a National Child Rights Implementation Committee was established in 1994, *inter alia*, to: ensure the popularization of the Convention on the Rights of the Child and the Charter on the Rights and Welfare of Children of the Organization of African Unity (OAU); review the state of implementation of the Convention; develop specific programmes to enhance the status of the child; and collect and collate data on the implementation of the rights of the child. Despite the establishment of this Committee, information continued to be received related to violations of children's rights, especially with regard to the administration of juvenile justice and the institutionalization of children.

In brief commentary on the right to development and to a satisfactory environment the report notes information received related to the activities of the Shell Petroleum Development Company of Nigeria (SPDC) that were alleged to have led to widespread and severe environmental damage in the River Delta region and a negative impact on the health of those living in that area. Note is also made of information received related to the use, by SPDC, of its own well-armed security force which is intermittently employed against people protesting and demonstrating against SPDC's activities. Information indicated that such action has resulted in serious injuries and, further, that the Nigerian authorities have put at SPDC's disposal a mobile police force to suppress protests and demonstrations.

Balancing this commentary on continuing problems and violations, the report notes a number of measures taken by the government for the protection and promotion of human rights including the inauguration of a National Human Rights Commission in June 1996. The Commission's recommendations are not binding on the government; however, it appears that, in some cases, action taken by the Commission has resulted in the release of

some prisoners. Also, information indicates that the Chairman of the Commission has been able to initiate a constructive dialogue on human rights issues; as well, the Chairman has recommended that committees be established to study prison conditions and to introduce human rights education courses in schools and police and law enforcement agencies. The Commission has undertaken several human rights promotional activities in conjunction with NGOs.

Points made in the conclusion to the report include, *inter alia*, that: widespread violation of basic human rights occurs in Nigeria and the legal system currently does not provide effective protection of human rights; the Provisional Ruling Council (PRC) is the main decision-making body and rules by executive decrees that are clearly incompatible with the rule of law; the decisions of the African Commission on Human and Peoples' Rights are not respected; the right to life is insufficiently protected, with deaths occurring in custody under unexplained circumstances and on account of indiscriminate and excessive use of force; and imposition of the death penalty occurs in contravention of articles in the ICCPR and the Convention on the Rights of the Child. The right to liberty and security of person is violated on a massive scale; "hostage-taking" is prevalent, involving the detention of family members and other relatives of Nigerians living in exile; due process and fair trial are conspicuously absent in criminal trials; prison conditions are harsh and life-threatening with medical relief withheld from sick persons and access to doctors and to their own medications denied to detainees, often in direct contravention of court orders; the government suppresses freedom of expression and freedom of the press, with numerous journalists arrested, intimidated, harassed, arbitrarily detained and also subjected to inhumane treatment; freedom of assembly and association continue to be violated; freedom of movement is violated by seizure and impounding of passports for extraneous reasons; the government has failed to address the plight of the Ogoni people and to protect their human rights; the government is indifferent towards the right to development and to a satisfactory environment and issues related to environmental degradation in the River Delta region, alleged to be caused by the operations of the SPDC, have received insufficient attention. The conclusion also states that the violation of women's rights continues both in law and in practice, discrimination is prevalent in the public and private spheres, and the practice of female genital mutilation is still widespread; there seems to be some awareness, however, about the importance of women's rights and small improvements have been made in women's participation in the political process. The SR also noted the continued lack of compliance with provisions in the Convention on the Rights of the Child — especially in the areas of the administration of juvenile justice — with indiscriminate arrest and detention of children for long periods and indiscriminate sentencing. Reference is also made to a total lack of confidence between the opposition and the government, with the government regularly suppressing, harassing and detaining those who criticize its