

January 1999

## NIGERIA

### ISSUE

The change in Nigeria's leadership which took place last June has resulted in a much improved human rights situation but there is more to be done.

### BACKGROUND

During the regime of General Abacha, the **UN Special Rapporteur on the situation of human rights in Nigeria**, Mr. Soli Sorabjee, appointed in October 1997, was prevented by the Nigerian authorities from travelling to that country. Nevertheless, based on such data as he was able to gather, he presented in April 1998 a report to the Commission and stated: "There is extensive violation of basic human rights in Nigeria despite some changes made by the Nigerian Government and the measures initiated by it." The Special Rapporteur described a wide variety of abuses including, among others, absence of the rule of law, lack of effective legal protection for human rights, and prolonged, arbitrary detention.

Two months later, with the death of General Sanni Abacha and the accession to power of General Abdulsalami Abubakar, the situation began to change fundamentally. Observers note that the social and political environment of Nigeria is now no longer characterized by fear as it had been under Abacha. Within days the new military ruler began the release of some political prisoners and most others followed over the next months. The detention of the so-called Ogoni 19 ended during the September visit of the Canada Secretary of State for Latin America and Africa. Decrees hobbling activities of the Nigerian labour movement have been rescinded. Repressive decrees, notably numbers 2 and 9 which provide for arrest and detention without trial, have not been invoked. General Abubakar made clear that he regarded his position as Head of State as transitional only and he set in motion the machinery for a series of elections directed at choosing civilian rulers to take power in May 1999. In November 1998, for the first time, the UN Special Rapporteur, Mr. Sorabjee, was allowed to travel to Nigeria and to move freely about the country. Many Nigerians who went into exile during the Abacha period have felt it safe to return home after criminal charges, including in some cases of treason, were withdrawn by the new regime. Among these is the Nobel prize winner, Wole Soyinka, now a vocal critic of the present government from within his own country.

The international community has welcomed the important changes in Nigeria but, perhaps recognizing that they are neither as complete as they should be nor irreversible, has greeted them with a degree of circumspection. This year the **UN General Assembly Third Committee resolution on Nigeria**, previously led by the EU, was a Chair's text, accepted by consensus, and reflected the changes in Nigeria over the past year. The resolution takes a positive stance with respect to the recent changes there, although the Nigerian delegation was hoping to press for conclusion of consideration under this item. It nevertheless agreed to continue consideration "with a view to concluding it in light of further developments and relevant decisions of the Commission on Human Rights." The Commonwealth, too, has taken a positive albeit qualified position on Nigeria.

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