

programme, training for senior prison staff, and consideration of ways and means to introduce human rights education courses in schools, police and law enforcement agencies.

The report recommends, *inter alia*, that the government:

- ♦ strive to ensure that all stages of the electoral process conform to international standards on the enjoyment of universal and equal suffrage guaranteeing the free expression of the will of the electors; guarantee the credibility, integrity and autonomy of the Independent National Electoral Commission; accord the Commission full independence in practice, including the sole authority for hiring its staff and employees, guaranteed financial autonomy through specific guidelines, and the power to control elections at all levels;
- ♦ in order for elections to be free and fair, fully respect the rights to freedom of opinion, expression and association, freedom of the press, and the right to peaceful assembly; remove current restrictions on these freedoms by repealing or amending the relevant decrees in force so as to allow criticism and expression of dissent; remove the remaining restrictions on trade unions and professional associations;
- ♦ release immediately all political prisoners, trade union leaders, human rights advocates and journalists currently being detained without charge or trial; provide for re-trial with proper guarantees, or release unconditionally, those convicted in connection with the alleged 1990, 1995 and 1997 coup plots; release all persons serving sentences after trial by military tribunals and by processes which fell short of international guarantees for a fair trial or, in the alternative, release these persons on bail and retry them before an independent court or tribunal whose proceedings conform to international norms of due process;
- ♦ repeal all decrees which suspend the human rights provisions in the current constitutional framework (the 1979 Constitution); repeal all decrees which oust the jurisdiction of courts in matters involving life and liberty of the person; ensure that all legal proceedings are conducted in public before independent courts whose proceedings conform to international norms of due process;
- ♦ establish a moratorium on executions, with a view to completely abolishing the death penalty; in the alternative, ensure that imposition of the death penalty occurs only in strict compliance with article 6 of the International Covenant on Civil and Political Rights (ICCPR) and, in no circumstances, is carried out on persons under 18 years of age;
- ♦ redress, as a matter of urgency, prison conditions and provide international observers with access to detention centres; ratify the Convention against Torture;
- ♦ take steps to ensure full and equal enjoyment by women of the rights and freedoms guaranteed by the

ICCPR and the Convention on the Elimination of All Forms of Discrimination Against Women; encourage women's equal participation at all levels of political, social and economic life of the country; repeal laws contrary to the equal rights of women; adopt urgent measures to curtail the practices of female genital mutilation and forced marriage;

- ♦ initiate measures to strengthen safeguards for children in detention, particularly in respect of their recovery and rehabilitation; and
- ♦ provide adequate resources to the National Human Rights Commission and respect its independence; expand its powers and jurisdiction to cover all cases of violations of human rights, notwithstanding the ouster clauses in the relevant decrees; guarantee security of tenure to the Chairman and members of the Commission; and encourage the Commission to work closely with NGOs in its activities to promote and protect human rights.

### Resolution of the General Assembly

The 1998 session of the General Assembly adopted by consensus a resolution on the situation of human rights in Nigeria (A/C.3/53/L.51). The GA, *inter alia*: recalled that Nigeria is a party to the International Covenants on Human Rights and other instruments; welcomed Nigeria's positive contribution, through the Economic Community of West African States, in support of democratic governance within the West African region; noted the encouraging positive steps taken by the government of Nigeria; welcomed the announcement of a new programme of transition to civilian rule, and noted with satisfaction the commitment of the government to fully restore democracy, the rule of law and respect for human rights; welcomed the fact that the government is reviewing the remaining decrees, and urged it to repeal urgently those which have an impact on fundamental human rights; encouraged all sectors of society to participate actively and constructively in the process of democratization and the re-establishment of civilian rule; and noted the establishment of the Independent National Electoral Commission and the issuance of a detailed timetable for the election process.

The GA: welcomed, *inter alia*, the invitation by the government to various multilateral organizations to provide electoral assistance and to observe the elections at all levels so as to ensure the credibility of the electoral process, the government's declared commitment to protect freedom of expression, in particular freedom of the press, and the release of political prisoners, including the twenty detainees from Ogoni. The GA: stressed that the establishment and strengthening of national structures and institutions in the field of human rights are of the utmost importance for the promotion and protection of human rights in Nigeria; commended the National Human Rights Commission of Nigeria for its important work, and encouraged the government to provide the Commission with adequate resources and to fully respect its independence; welcomed the decision of the Euro-