

executed in Lagos in July 1995 following proceedings which reportedly fell short of international standards for a fair trial. In its response, the government indicated that the persons concerned had been represented by counsel of their choice, were all found guilty as charged, and were thereafter executed. The government also stated that all of the persons named had been convicted earlier of armed robbery and sentenced to death. Thirty-eight had been tried and sentenced between 1980 and 1992 by the Lagos Armed Robbery and Firearms Tribunal, and the other five tried by the Lagos State High Court, with their sentences subsequently confirmed by the Supreme Court.

The SR expressed concern about the imposition and execution of death sentences after trials reported to fall short of international fair trial standards, and noted that the government's unfounded remarks in its reply to the case of Kudirat Abiola cannot serve as a justification for not promptly and impartially investigating the case and bringing the perpetrators to justice.

**Freedom of opinion and expression, Special Rapporteur on:** (E/CN.4/1998/40, paras. 85–88)

The report notes that an urgent appeal was sent on behalf of the bureau chief and the editor of African Concord news magazine who were being held in incommunicado detention. The same appeal referred to the arrest of the defence correspondent for PM newspaper, the editor of The News magazine, the managing editor of Tell magazine, and the managing editor of The News newspaper group. Information was also sent to the government related to the reported arrest of the Taraba State correspondent of The News magazine — possibly in connection with a publication on intercommunal killings in October 1997 in Taraba State — and of the administrative manager of The News group. The Special Rapporteur also transmitted the case of a writer and journalist who was reportedly arrested in November 1997 at Nigeria's border with Benin when returning from a writing fellowship abroad.

The SR noted that no reply had been received from the government concerning these allegations, and expressed concern at the pattern of arrests. The SR urged the government to ensure that such incidents do not occur and to give due respect to the rights of journalists in accordance with international standards.

**Religious intolerance, Special Rapporteur on:** (E/CN.4/1998/6, paras. 48, 50, 63, 94)

The report refers to violations of freedom of religion or belief against all religions, and all religious groups and communities, particularly with regard to the freedom to manifest one's religion. The report notes that the broadcasting of religious programmes and listening to religious cassettes are reportedly prohibited by decree and punishable by imprisonment.

**Torture, Special Rapporteur on:** (E/CN.4/1998/38, para. 148; E/CN.4/1998/38/Add.1, paras. 284–290)

Seven urgent appeals on behalf of 18 individuals were transmitted to the government, some jointly with other mechanisms of the Commission on Human Rights. A number of the cases referred to the arrest and detention of journalists and others in the media (see section on freedom of opinion and expression). An appeal was sent on behalf of a member of the National Democratic Coalition (NADECO), who was reportedly arrested in Akure in January 1997 in connection with bomb attacks in Lagos, and transferred to the offices of the Federal Intelligence and Investigations Bureau (15 January 1997); the government provided excerpts from a newspaper interview with the victim's wife, stating that his health was satisfactory. Other cases related to arrests of relatives or associates of an exiled member of NADECO who was accused of bombings in 1996. The arrests reportedly involved incommunicado detention and ill treatment which allegedly included being hung up by the feet and kicked in the head. In another case that included incommunicado detention without charge, the Special Rapporteur (SR) noted that repeated orders from the Federal High Court to produce the detainee before a court were ignored. The SR also sent an appeal on behalf of a member of the Civil Liberties Organization, who was reportedly held incommunicado in State Security Services offices in Ikoyi, Lagos, after returning from a visit to the United Kingdom coinciding with pro-democracy protests during the Commonwealth Heads of Government Meeting in October 1997.

**Toxic wastes and products, Special Rapporteur on:** (E/CN.4/1998/10/Add.1, "Comments received from States")

The Special Rapporteur summarized the government's response to information contained in the report to the 1997 session of the Commission on Human Rights (E/CN.4/1997/19) related to Shell Oil. The government stated that: the company's activities, as well as those of other oil companies, were being monitored to ensure that all drilling and prospecting procedures conform to local environmental laws and attend to the environmental needs of the local population; all federal and state government compensation is made directly through a federal government parastatal, the Oil Mineral Producing Areas Development Commission (OMPADEC), whose membership is comprised solely of indigenous people of the oil-producing areas, including the Ogoni areas; Ogoniland is one of the communities in Rivers State with the greatest concentration of educational institutions in Nigeria; most of the very important government-owned parastatals and institutions in Rivers State are sited in Ogoniland; all these institutions offer great opportunities for employment and commerce to the Ogonis; and, Ogoniland has a majority of the federally-funded road network vis-à-vis other parts of Nigeria. The government stated that the allegation that the Ogoniland had been occupied by the police since May 1994 was baseless.