



**Economic and Social  
Council**

Distr.  
GENERAL

E/CN.4/2003/NGO/61  
5 March 2003

ENGLISH ONLY

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COMMISSION ON HUMAN RIGHTS  
Fifty-ninth session  
Item 9 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL  
FREEDOMS IN ANY PART OF THE WORLD

Written statement\* submitted by World Organisation Against Torture (OMCT), a non-  
governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 January 2003]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

### The human rights situation in Nigeria

After one of the fiercest dictatorships of its history, Nigeria witnessed the re-establishment of democracy on 29 May 1999 leading to great expectations among the population for the country's future. In his inaugural speech, President Olusegun Obasanjo promised that his government would not do "business as usual" and pledged to step on the toes of those responsible for human rights violations. He followed his pledge up by freeing known political detainees, putting to trial scores of people for their roles in high profile cases of human rights abuses under the military dictatorship and establishing the Human Rights Violations Investigation Commission (Oputa panel) to look into human rights violations committed by all previous military regimes in Nigeria. These actions were applauded in and outside Nigeria and more were expected to return the country to international respectability and adherence to rule of law and due process. To its credit, the Obasanjo government also ratified the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 28 June 2001.

However, the last three years of elected civilian government in Nigeria have witnessed an alarming spate of violence and gross human rights violations. Since 29 May 1999, when the present government was elected, over 50 separate outbreaks of ethno-religious violence had taken place in Nigeria, involving well established cases of systematic extra-judicial executions and sundry violations of the integrity of the human person. These have result in the death of over 10,000 persons, displacement of hundreds of thousands more, reported rape of thousands of women and other associated violations. In all these cases Nigeria has repeatedly and consistently failed to abide by its obligations under the international and regional instruments to which it has voluntarily subscribed. Even more importantly, the government of Nigeria also failed to comply with its own domestic laws.<sup>1</sup>

The primacy of the law is a fundamental principle of any democratic system seeking to foster and promote human rights and fundamental freedoms. This entails *inter alia* an independent judiciary, a legal system guaranteeing equality before the law and means of recourse enabling individual citizens to defend their rights. The failure to investigate these killings and associated violations and bring the perpetrators to account and provide adequate remedies for the victims has bred a culture and cycle of impunity and resulting resentment which fuels the increasing viciousness of successive outbreaks of crises and risks plunging Nigeria into a situation of generalized insecurity and lawlessness.

This situation, in which many Nigerians now find themselves, presents a reversal of hope from the high expectations and promises that heralded the inauguration of the elected government of President Obasanjo.

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<sup>1</sup> OMCT and CLEEN, "Hope Betrayed. A Report on Impunity and State-Sponsored Violence in Nigeria", August 2002, pp. 200.

As the nation prepares for the 2003 general elections, concerns for the safety and security of the population have increased. Given the experience of Nigeria's electoral history, the elections in 2003 also pose a heightened threat of outbreaks of inter-communal and religious violence as different political groups jostle for electoral advantage.

Consequently, in the light of the human rights situation in the country, the World Organisation against Torture (OMCT) urges the Commission on Human Rights:

- To request the United Nations Special Rapporteurs on Summary, Arbitrary and Extra-Judicial Executions, Torture, Violence Against Women and Independence of Judges and Lawyers, and on Adequate Housing to undertake a joint investigation of violence, extra-judicial executions and related violations in Nigeria and to request the government of the Federal Republic of Nigeria to accede to the conduct of such an investigation.

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