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IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION  
AND PUNISHMENT OF THE CRIME OF APARTHEID

Reports submitted by States parties under article VII of the Convention

Addendum

NIGERIA

[22 January 1981]

This report is an updated version of the one earlier submitted by Nigeria in accordance with article VII of the Convention on the Suppression and Punishment of the Crime of Apartheid (E/CN.4/1277/Add.12 of 1 February 1978).

The Nigerian Government has as the occasion dictates over the years taken such measures as to discourage the commitment of the crime of apartheid by groups or individuals operating within its shores. The Nigerian citizen is treated with equality, and is free to order his life as he deems fit, so long as he operates within the laws of the Federation of Nigeria. His rights are protected both by the new constitution operational from 1 October 1979, and the judicial system.

LEGISLATIVE AND JUDICIAL MEASURES AS REFLECTED IN  
THE PROVISIONS OF THE NEW NIGERIAN CONSTITUTION WHICH  
CAME INTO OPERATION FROM 1 OCTOBER 1979

The 1979 Constitution of the Federal Republic of Nigeria guarantees the Fundamental Human Rights of its citizens, and ensures especially that every Nigerian is treated with respect and dignity. The following sections of Chapter IV of the new Constitution of the Federal Republic of Nigeria entitled "Fundamental Rights" are relevant in this regard:

Section 30 - Right to Life

Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.

Section 31 - Right to dignity of human person

Every individual is entitled to respect for the dignity of his person, and accordingly - no person shall be subjected to torture or to inhuman or degrading treatment; no person shall be held in slavery or servitude; and no person shall be required to perform forced or compulsory labour.

Section 32 - Right to personal liberty

Every person shall be entitled to his personal liberty and no person shall be deprived of such liberty save in certain cases and in accordance with a procedure permitted by law.

Section 33 - Right to fair hearing

In the determination of his civil rights and obligations, including any question or determination by or against any government or authority, a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such manner as to secure its independence and impartiality.

Section 34 - Right to private and family life

The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected.

Section 35 - Right to freedom of thought, conscience and religion

Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance.

Section 36 - Right to freedom of expression and the press

Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.

Section 37 - Right to peaceful assembly and association

Every person shall be entitled to assemble freely and associate with other persons; and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests.

Section 38 - Right to freedom of movement

Every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereto or exit therefrom.

### Section 39 - Right to freedom from discrimination

A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not by reason only that he is such a person - be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government or disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions, or political opinions are not made subject; or

be accorded either expressly by, or in the practical application of any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions.

The provisions of Sections 30-39 of the new Constitution of the Federal Republic of Nigeria as enumerated above, ensure that Apartheid as defined in Article II of the Convention is outlawed in Nigeria.

### ADMINISTRATIVE MEASURES

The Government of Nigeria has always supported and applied United Nations decisions and recommendations on sanctions against the apartheid government of South Africa. Nigeria has no links whatsoever with the racist régime of South Africa, and has consistently resisted the participation of South Africa at any International fora, whether political or cultural, until that régime has a change of heart, and accepts majority rule in South Africa.

### POLITICAL AND ECONOMIC MEASURES

Nigeria is committed to the fight against racism and apartheid. Consistent with her stand in this regard, Nigeria has recently taken some measures against certain companies in Nigeria found to be trading or having economic links with South Africa. In 1979 the Government of Nigeria took over all the assets of British Petroleum company in Nigeria for attempting to export Nigerian oil to South Africa. Similarly the Government of Nigeria took over a major share of the Barclays Bank, for having business with South Africa, and its name was subsequently changed to the Union Bank of Nigeria. These measures are in keeping with the decision of the Nigerian Government to which reference was made in the Nigerian report to the Committee of Three (ref. No. E/CN.4/1277/Add.12 of 1 February 1978) to the effect that the Nigerian Government has mounted a surveillance on all enterprises who depend on her raw materials and markets but continue to sustain Apartheid.

Nigeria has been hosting southern African students who are victims of the heinous crime of apartheid in its educational institutions. Such students are sometimes given scholarships by the Federal or State Governments of Nigeria to enable them to continue or complete their studies in Nigeria, and thereby be adequately equipped to fight the system of apartheid, in whichever role they might eventually be called upon to play in their just struggle against the oppressive régime of South Africa. The Ambassador and Permanent Representative of Nigeria to the United Nations, New York, is still the Chairman of the United Nations Special Committee against Apartheid, and in that capacity has continued to enlist the support of the World Community to fight the unjust system of Apartheid.