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COMMISSION ON HUMAN RIGHTS  
Fifty-second session  
Agenda item 10

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND  
OTHER DEPENDENT COUNTRIES AND TERRITORIES

Austria, Belgium\*, Bulgaria, Canada, Denmark, Finland\*, France,  
Germany, Greece\*, Hungary, Ireland\*, Italy, Luxembourg\*,  
Netherlands, Portugal\*, Spain\*, Sweden\* and United Kingdom of  
Great Britain and Northern Ireland: draft resolution

1996/... The situation of human rights in Nigeria

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights, other human rights instruments and the Vienna Declaration and Programme of Action,

Reaffirming that all Member States have the duty to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments in this field,

Mindful that Nigeria is a party to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights,

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Noting General Assembly resolution 50/199 of 22 December 1995 on the situation of human rights in Nigeria,

Deeply concerned about the human rights situation in Nigeria and the suffering caused thereby to the people of Nigeria,

Expressing concern that the absence of representative government in Nigeria has led to violations of human rights and fundamental freedoms, and recalling in this regard the popular support for democratic government as evidenced in the 1993 elections,

Noting with interest that the Government of Nigeria, on 1 October 1995, affirmed the principle of multi-party democracy, announcing its intent to accept the principle of power-sharing, lift the ban on political activity and the press, devolve power to local levels of Government and subordinate the military to civilian authority, but strongly disappointed that only limited action in this regard has followed,

Noting the mission sent by the Secretary-General to Nigeria,

Noting with deep concern reports of grave violations of human rights, including arbitrary executions, arbitrary arrests and detention, failure to respect due process of law, and excessive use of force against demonstrators as described in, inter alia, reports submitted to the Commission on Human Rights by the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on extrajudicial, summary or arbitrary executions,

Noting with alarm that, among those detained, a further 21 Ogonis may be tried by the same flawed judicial process that led to the arbitrary execution of Ken Saro-Wiwa and his associates,

1. Expresses its deep concern about violations of human rights and fundamental freedoms in Nigeria, and calls upon the Government of Nigeria urgently to ensure their observance, in particular by restoring habeas corpus, releasing all political prisoners, trade union leaders, human rights advocates and journalists who are at present detained, guaranteeing freedom of the press and ensuring respect for the rights of all individuals, including persons belonging to minorities;

2. Calls upon the Government of Nigeria to ensure that trials are held in strict conformity with international instruments to which Nigeria is party;

3. Also calls upon the Government of Nigeria to abide by its freely undertaken obligations under the International Covenant on Civil and Political Rights and other instruments on human rights, including the African Charter of Human and Peoples' Rights;

4. Further calls upon the Government of Nigeria to cooperate fully with the existing mechanisms of the Commission on Human Rights;

5. Urges the Government of Nigeria to take immediate and concrete steps to restore democratic Government;

6. Decides to appoint a special rapporteur to examine the human rights situation in Nigeria and to report to the General Assembly at its fifty-first session and to the Commission on Human Rights at its fifty-third session.

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