

EXTERNAL (for general distribution)

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Further information on UA 176/92 (AFR 44/07/92, 28 May 1992) and follow-up AFR 44/08/92, 18 June 1992 - Incommunicado detention of prisoners of conscience/health concern

NIGERIA:

Dr Beko Ransome-Kuti, 51, doctor, Chairman of the newly-formed Campaign for Democracy, President of the Committee for the Defence of Human Rights
Femi Falana, lawyer, member of the Campaign for Democracy, President of the National Association of democratic Lawyers

Dr Baba Omojola, economist, member of the Campaign for Democracy
Chief Gani Fawehinmi, 54, human rights lawyer, member of the Campaign for Democracy

Olusegun Mayegun, President, National Association of Nigerian Students
(NANS)

The five detainees named above were released on bail on 29 June 1992 and ordered to appear in court again on 23 October 1992. The same day the government lifted the administrative detention orders imposed on them under the State Security (Detention of Persons) Decree, No. 2 of 1984.

They were arrested on 19 May 1992 and detained incommunicado until 15 June when they were charged before the Magistrate's Court in Gwagwalada with conspiracy to commit treasonable felony, an offence punishable by up to life imprisonment. On 24 June the High Court in Lagos ruled that the Magistrate's Court did not have jurisdiction to try the case, and ordered that the detainees be given immediate medical care and access to legal counsel. On 30 June the Gwagwalada Magistrate's Court ordered the detainees to be released on bail because the police had yet to conclude their investigations. It also asserted the right of a Magistrate's Court to ascertain whether there was sufficient information before the court to proceed with a trial.

On 1 July 1992 the Lagos High Court ordered the government to pay Dr Beko Ransome-Kuti 50,000 Naira (about US \$200,000) in damages for illegal arrest and detention. The court said that the Vice-President had not signed the detention order, as required by law, and, by ignoring earlier court orders to produce him before the court, the government had shown contempt towards the court and did not deserve a sympathetic hearing.

On 22 June 1992 police attempted to disrupt a meeting of the executive of the Nigerian Bar Association which agreed to support a boycott of the courts in protest at the detentions and the government's contempt of the judicial system.

FURTHER RECOMMENDED ACTION: Please send airmail letters

- welcoming the release on bail of Dr Beko Ransome-Kuti, Femi Falana, Dr Baba Omojola, Chief Gani Fawehinmi and Olusegun Mayegun and the lifting of the detention orders against them;

- expressing concern however at the detention incommunicado of these prisoners of conscience, imprisoned for their non-violent political activities;

- expressing concern that, if convicted and sentenced to terms of imprisonment, the five would be prisoners of conscience, and calling for the charges against them, of conspiracy to commit treasonable felony, to be withdrawn.

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APPEALS TO:

1) General Ibrahim Babangida
President, Commander-in-Chief of the Armed Forces
State House
Abuja
Federal Capital Territory, Nigeria

Salutation: Dear Mr President

2) Admiral (Retd) Augustus Aikhomu
Vice-President
State House
Abuja
Federal Capital Territory, Nigeria

Salutation: Dear Admiral Aikhomu

3) Mr Clement Akpamgbo
Attorney-General of the Federation
and Minister of Justice
Ministry of Justice
Abuja
Federal Capital Territory, Nigeria

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Major-General (Retd) Ike O.S. Nwachukwu
Minister of External Affairs
Ministry of External Affairs
Maputo Street
Abuja
Federal Capital Territory, Nigeria

and to any of the following newspapers:

Daily Times, PMB 21340, Ikeja, Lagos, Nigeria
National Concord, POB 4483, Ikeja, Lagos, Nigeria
The Guardian, PMB 1217, Oshodi, Lagos, Nigeria
Newswatch, PMB 21499, Ikeja, Lagos, Nigeria
Nigerian Tribune, POB 78, Ibadan, Oyo State, Nigeria

and to: Campaign for Democracy, PO Box 7247, Lagos, Nigeria

and to diplomatic representatives of NIGERIA in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 August 1992.