

PUBLIC

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UA 263/04 Fear of torture/incommunicado detention

NIGERIA **Rapahel Olatoye (m), aged 47, production manager of *Insider Weekly* magazine**
Cyril Mbamulu (m), aged 32, distribution officer
Security guard (m), name not known
Osa Director (m), editor-in-chief

Police have arrested three of the staff of *Insider Weekly* magazine, which has published stories critical of the government. Officers from the State Security Service (SSS) raided the magazine's offices on 4 and 5 September, arresting the production manager, distribution officer and a security guard. All are detained incommunicado, without charge, at an unknown location, and are at grave risk of torture. The editor-in-chief, and other journalists from the magazine, have gone into hiding to escape being arrested.

Production manager Raphael Olatoye was arrested on 4 September, by SSS officers who seized property, including computers, files and copies of the forthcoming issue of the magazine. They returned the following day, and arrested distribution officer Cyril Mbamulu and the security guard.

Insider Weekly has been reporting extensively on protests by Nigeria's only trade union, the Nigeria Labour Congress (NLC), against legislation proposed by President Obasanjo, which would break the NLC up into several smaller unions. The NLC say that this legislation is intended to damage their power, because they have been critical of the government, and recently protested against government increases in fuel prices. On 4 September, the SSS issued a statement, pointing out that the crackdown on *Insider Weekly* had been launched because of attacks on the character and ideals of the President.

The SSS officers are now occupying the building, and have changed the locks. The magazine's editor-in-chief, Mr Osa Director, is now in hiding, in fear of being arrested.

BACKGROUND INFORMATION

The Nigerian security forces, including the SSS, have a long history of harassing, intimidating and unlawfully arresting journalists and activists.

On 29 April they arrested Buba Galadima, who is a member of the Conference of Nigerian Political Parties (CNPP) and chairman of its mobilisation committee, at his office. He was to have taken part in an anti-government protest scheduled for 3 May. He was released on 13 May, after the Ministry of Justice had told Amnesty International that it had received a great number of letters from Amnesty members.

In the last year, pro-democracy demonstrations have been hindered, with the police refusing permission for marches to go ahead. Pro-democracy activists are highly critical of President Obasanjo's government. They are protesting over a range of issues, including election-rigging, corruption, poverty and crime.

Human rights organisations and human rights defenders have increasingly found themselves under surveillance, in particular those who are critical of the government of President Obasanjo.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern for the safety of Raphael Olatoye, Cyril Mbamulu, and the security officer from the *Insider Weekly* who are being held incommunicado;
- calling for Raphael Olatoye, Cyril Mbamulu, and the security officer from the *Insider Weekly's* current location to be made public, for them to be granted access to their families, lawyers and any medical treatment they may require;
- asking the authorities to charge them with a recognisably criminal offence or to release them immediately;
- calling for guarantees that they will not be tortured or ill-treated while in detention, as the Nigerian Constitution states in section 34 that "every individual is entitled to respect for the dignity of his person, and accordingly- (a) no person shall be subjected to torture or inhuman or degrading treatment."
- urging that they be held in conditions which conform to international standards for the treatment of prisoners;
- reminding the authorities that the Nigerian Constitution states in section 39 (1) that "Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference."
- reminding the authorities that the African Charter for Human and Peoples' Rights states in Article 9 (1) that "Every individual shall have the right to express and disseminate his opinions within the law."

APPEALS TO:

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and to diplomatic representatives of Nigeria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 October 2004.