

**-AMNESTY INTERNATIONAL-**  
**-NIGERIA-**  
**Davies Idede Oyaje**

**FULL NAME:** Davies Idede Oyaje (m)

**Date of birth:** 1 August 1978

**ISSUES/CONCERN(S):** Detention without charge/Health concerns/Fear for safety/Violation of the right to a fair trial

**CASE HISTORY:**

Davies Idede Oyaje, aged 26, was arrested in Abuja on 5 April 2004.

He is currently detained at Zone 7, Police Command, Wuse Zone 3 in Abuja.

He has not been charged yet. According to Section 35(3) of the Nigerian Constitution any person who is detained should be informed in writing of the facts and grounds for his arrest within 24 hours. This violates his right to a fair trial according to Article 9(2) of the International Covenant on Civil and Political Rights (ICCPR).

He is chained by hands and feet to the floor which constitutes cruel, inhuman and degrading treatment and he is allegedly being fed only every 2 days, and with a non-substantial amount of food.

Amnesty International fears for his safety and that he may be subjected to torture and ill-treatment in detention.

**PERSONAL BACKGROUND:**

Davies Idede Oyaje attended the government primary school in Ugbokpo, Benue State. Between 1992-1998 he attended the government secondary school in Ugbokpo, Benue State where he was prefect of the school. At the time of his detention he was job seeking.

**BACKGROUND INFORMATION**

In February 2004, the governor of Abia State (Southern Nigeria), Dr Orij Uzor Kalu, accused the chairman of the board of trustees of the Peoples Democratic Party (PDP), former Works and Housing Minister, Chief Tony Anenih, of threatening to kill him. According to the State Governor, Chief Tony Anenih would have proffered threats in front of the Abia State Deputy Governor, who allegedly wrote this down in a memo which was later given to the State Governor. However, the Deputy Governor subsequently denied that such threats were made in his presence.

Davies Idede Oyaje walked into the chambers of human rights lawyer Festus Keyamo to claim that he had been approached by Chief Anenih to kill Governor Kalu, despite the former's denial. Festus Keyamo published Davies' story in the Nigeria media and since he feared for the safety of his client he handed him over to the police for 'safe custody' in order to protect him from the alleged contractors. A few hours after the handover to the police Davies Idede Oyaje stated in a confession to the police that his previous allegations were not true. There is reason to believe that this confession was extracted under torture. He has been in detention since 5 April 2004. During this time the Police Command in Wuse Zone 3 in Abuja denied Festus Keyamo and other lawyers access to Davies Idede Oyaje. Festus Keyamo eventually gained access to his client and has confirmed to the Nigerian media and to Amnesty International the cruel, inhuman and degrading status of the detention in which Davies is being

held, and the fact that he allegedly has marks on his hands and feet due to him being chained to the floor.

President Obasanjo was re-elected in May 2003 with a pledge to reorganize the federal police in order to render them more effective in ensuring the security of Nigerian citizens. The police had been neglected and under-funded by the previous military administration. They had little credibility due to reports of corruption, and their alleged involvement in cases of human rights violations such as extrajudicial executions, torture and the cruel, inhuman and degrading treatment of suspects while held in custody during the time of military governments. Despite this pledge, the Nigerian police force continues to have an appalling human rights record due to their alleged use of extrajudicial executions, excessive use of force and incidents of deaths in custody.

**RECOMMENDED ACTION**

- expressing concern for the health of Davies Idede Oyaje, as he has restricted access to food;
- expressing concern for the safety of Davies Idede Oyaje;
- calling on the authorities for Davies Idede Oyaje to have regular access to his family, lawyer and any medical treatment he may require;
- reminding the Nigerian authorities that his right to a fair trial according to Section 35(3) of the Nigerian Constitution and Article 9(2) of the ICCPR has been violated and therefore asking the authorities to charge him with a recognisable criminal offence or to release him immediately without charges;
- calling for guarantees that he will not be tortured or ill-treated while in detention, as the Nigerian Constitution states in Section 34 (1) 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 he be held in conditions which conform to international standards for the treatment of prisoners;

**APPEALS TO:**

Assistant Commissioner of the Police  
Mr Yusuf  
Head of Monitoring Team  
Nigerian Police Force  
Police Headquarters  
1<sup>st</sup> floor, Louis Edet House  
Abuja  
Nigeria

Inspector General of Police  
Mr Tafa Balogun  
Nigerian Police Force  
Police Headquarters  
1<sup>st</sup> floor, Louis Edet House  
Abuja  
Nigeria

Minister of Police Affairs  
Chief Broderick Bozimo  
New Federal Secretariat complex  
Shehu Shagari Way  
Abuja, Nigeria  
Fax: +234 9 5232450  
Salutation: Your Excellency

**PLEASE SEND COPIES OF THE APPEAL TO:**

Mr Festus Keyamo  
Festus Keyamo Chambers  
Suite BC7&8  
Maryland Business Plaza  
Maryland  
Lagos  
Nigeria

**PLEASE SEND APPEAL IMMEDIATELY**