

UA 176/94

Fear of extrajudicial execution / death penalty

4 May 1994

**NIGERIA****Members of the Ogoni ethnic group**

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Amnesty International fears for the safety of members of the Ogoni ethnic group after recent killings in which the Nigerian security forces have been implicated. Furthermore, a special court set up in April 1994 has been given broad powers to impose the death penalty, and there are fears that these may be used against Ogoni detainees after hasty and unfair trials.

In 1993 and again in recent weeks there have been consistent allegations, from both the Ogoni community and others, implicating government forces in inter-ethnic killings in Rivers State, southeast Nigeria. On 3 April 1994 about 20 people are reported to have been killed in clashes between members of the Ogoni and Ndoki ethnic groups. According to the Ogoni, the security forces encouraged Ndoki villagers to attack Ogoni villages over a long-standing and previously non-violent land dispute. The security forces then reportedly followed the Ndoki attackers, burning down several villages, including Ledor on 16 April and Tumbee on 18 April. Several Ogoni villagers were arrested and reportedly remain in detention without charge or trial.

On 21 April the Rivers State police ordered hundreds of police and military personnel into Ogoniland to maintain law and order. At about the same time, the Rivers State authorities set up a special court - the Civil Disturbances Tribunal - with the power to impose the death penalty, not only for capital offences committed in connection with the unrest but also apparently for previously non-capital crimes such as "attempted murder". This tribunal was established under the Special Tribunal (Offences Relating to Civil Disturbances) Edict, 1994, and its members may include armed forces officers as low as the rank of captain. Although defendants may appeal to the High Court, trials before other special courts set up in recent years to try civil unrest and other political cases have been grossly unfair.

Independent observers of human rights and environmental concerns in Ogoniland have been detained or denied entry by the authorities. The government has not responded to requests from the Unrepresented Nations and Peoples Organization and from Bodyshop International to undertake research in Ogoniland in March and April 1994 respectively. On 6 April two leading members of the Movement for the Survival of the Ogoni People and a journalist from the Nigerian *Guardian* were also briefly detained while investigating the 3 April killings.

On 9 April Geraldine Brooks, a journalist on the US *Wall Street Journal*, was arrested after attempting to interview senior military officials in Ogoniland, detained incommunicado for two days by security police and deported.

**BACKGROUND INFORMATION**

The Nigerian security forces have been responsible for extrajudicial executions of Rivers State villagers protesting against environmental damage and inadequate compensation for destruction of land and crops by oil companies.

In October 1990 about 80 people in Umuechem were killed and their village razed by police; a judicial commission of inquiry recommended prosecution of named police officers but its findings were kept secret and no one was brought to justice. In 1993 the security forces are alleged to have been responsible for a number of extrajudicial executions after being brought into Ogoniland to maintain order. Although hundreds of Ogoni were reportedly killed in inter-communal fighting in 1993, there was evidence implicating the security

forces. An official inquiry into some of these killings has not made its findings public.

**RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters either in English or in your own language:**

- expressing concern for the safety of members of the Ogoni ethnic group in view of recent killings in which the Nigerian security forces have been implicated;
- calling for immediate measures to be taken to protect the Ogoni people from further attacks;
- calling for a thorough and impartial investigation into the reports of extrajudicial executions by security forces and the inter-communal killings in Rivers State in 1993 and 1994, for its findings to be made public and for those found responsible to be brought to justice in accordance with international standards;
- expressing concern that the Civil Disturbances Tribunal set up in April has been given broad powers to impose the death penalty, and urging that any people detained in the context of the conflict in Ogoniland be tried in accordance with international standards for fair trial and that the death penalty not be imposed;
- urging the authorities to halt the detention of those attempting to investigate human rights abuses and to allow independent observers into Ogoniland to investigate the killings.

**APPEALS TO**

**Telexes: (for appeal addresses 1-3): [0905] 91529 or 91530 EXTNAL NG (via Ministry of Foreign Affairs)**

1. General Sani Abacha  
Chairman, Provisional Ruling Council,  
Commander in Chief of the Armed Forces and Minister of Defence  
State House, Abuja  
Federal Capital Territory, Nigeria  
**Telegrams: General Abacha, Abuja, Nigeria**  
**Salutation: Dear General Abacha**

2. Dr Olu Onagoruwa  
Minister of Justice and Attorney General  
Ministry of Justice  
Abuja, Federal Capital Territory, Nigeria  
**Telegrams: Minister of Justice Onagoruwa, Abuja, Nigeria**  
**Salutation: Dear Minister**

3. Lt-Gen D.O. Diya  
Chief of General Staff  
State House, Abuja  
Federal Capital Territory, Nigeria  
**Telegrams: Chief of Staff Diya, Abuja, Nigeria**  
**Salutation: Dear Lieutenant-General Diya**

4. Lt-Col Dauda M. Komo  
State Military Administrator  
Government House  
91000 Port Harcourt  
Rivers State, Nigeria

**Telegrams; Administrator Komo, Government House, Rivers State, Nigeria**

**Salutation: Dear Administrator**

**COPIES OF YOUR APPEALS TO:**

The Editor, *The Guardian*, PMB 1217, Oshodi, Lagos, Nigeria

The Editor, *National Concord*, POB 4483, Ikeja, Lagos, Nigeria

The Editor, *The Punch*, PMB 21204, Ikeja, Lagos, Nigeria

The Editor, *Nigerian Tide*, PMB 5072, Port Harcourt, Rivers State, Nigeria

The Editor, *Point*, 222 Aba Road, Port Harcourt, Rivers State, Nigeria

The Editor, *Weekly Sunray*, 220 Aba Road, Port Harcourt, Rivers State, Nig.

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 15 June 1994.