

EXTERNAL (for general distribution)

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UA 163/93 Possible Extrajudicial Execution/Legal Concern

19 May 1993

NIGERIA: Agbarator Otu, killed, and 11 injured, including
Karalolo Korgbara (female)
One other detained without charge or trial

Amnesty International is concerned that members of Nigeria's security forces opened fire on apparently peaceful demonstrators in the Ogoni area, 50 kilometres southeast of Port Harcourt in Rivers State, southeast Nigeria, on 30 April and 4 May 1993. Karalolo Korgbara, a mother of five children, was shot in the chest in the first incident at Biara, and ten other people were also seriously wounded. One man, Agbarator Otu, was killed and six others were detained, one of whom is still held, in the second incident at Nonwa.

Amnesty International is calling on the Nigerian authorities to establish an independent inquiry into the shootings which resulted in the killing of one person, apparently an extrajudicial execution, and to take immediate steps to prevent unlawful use of lethal force by the security forces.

The first shooting incident occurred in Biara on 30 April 1993 when farmers belonging to the Ogoni community protested against the destruction of their fields and crops by workers employed by an American company, Wilbros, contracted to lay pipelines for the Shell (Nigeria) oil company and the Nigerian National Petroleum Corporation (NNPC). The farmers claimed that they had not received any compensation. According to some reports, the Wilbros workers left and returned a few hours later with armed men in uniform who opened fire on the farmers, seriously wounding 11 people including Mrs Karalolo Korgbara. The shooting is said to have taken place in the presence of at least three Wilbros employees, one of them a retired army officer. The security forces then detained six people and took them to the Second Amphibious Brigade camp. Among the six, three apparently escaped while two who were injured during the shooting, were transferred to a hospital in Port Harcourt. One of the six, a 32-year-old man, is reported to be still detained, without charge or trial, and apparently unlawfully, at Bori military camp.

The second shooting incident took place in Nonwa on 4 May 1993, when Agbarator Otu was shot dead by members of the security forces. Amnesty International fears that there may be further incidents of peaceful protest where the security forces again resort to the use of lethal force.

BACKGROUND INFORMATION

In October 1990, 80 demonstrators in Umuechem village, in Rivers State, were shot dead by the police, victims of extrajudicial executions, and 500 houses were razed when villagers protested at inadequate compensation for their land and environmental damage by the multinational oil company, Shell. A judicial commission of inquiry was established and reported to the government in January 1991. Its findings were kept secret but were leaked to the press in October 1992; although the commission had recommended prosecution of named police officers responsible for the killings, no police officers have been brought to justice. The police unit was apparently disbanded following the shooting of another

protester. However, no other action is known to have been taken by the authorities.

The Ogoni community in Rivers State is reported to have organized a number of peaceful protests since January 1993, including a mass march on 4 January. In April, Mr Ken Saro-Wiwa, the spokesperson for the Movement for the Survival of the Ogoni People (MOSOP), was arrested on two consecutive occasions, apparently in connection with his efforts to raise awareness about the Ogoni community and the environmental impact of the oil companies' activities in the Rivers State. Following his release on 23 April 1993, after he reportedly collapsed in his cell, Mr Saro-Wiwa later obtained an injunction from the Port-Harcourt High Court restraining members of the State Security Services (SSS) from further harassing, arresting and detaining him. A further march by some Ogoni protesting at this and other arrests occurred on 29 April, when police apparently occupied MOSOP's offices in Port Harcourt.

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

- expressing concern at reports that members of the security forces opened fire on apparently peaceful demonstrators from the Ogoni community at Biara and Nonwa, in Rivers State, on 30 April and 4 May 1993, resulting in the death of Agbarator Otu and the serious injury of 11 others;
- calling on the authorities to take immediate steps to prevent the security forces opening fire on demonstrators who are either peaceful or pose no lethal threat;
- appealing for an independent public inquiry into these incidents, to recommend ways of preventing further unlawful use of lethal force by the security forces, and to ensure that any members of the security forces who committed breaches of the law on 30 April or 4 May are brought to justice;
- expressing concern at the apparently unlawful detention, without charge or trial, of six members of the Ogoni community, at the Second Amphibious Brigade camp in Bori one of whom is reported to be still detained;
- urging that he be given immediate access to family and to a lawyer, that he be referred promptly to court for the reasons and legal grounds of his imprisonment to be reviewed and that he be released without delay if he is not to be charged with a recognizably criminal offence.

APPEALS TO:

1) General Ibrahim Babangida
President and Chairman of the National
Defence and Security Council
State House
Abuja
Federal Capital Territory
Nigeria
**Telegrams: President Babangida, Abuja,
Nigeria**
**Telexes: [0905] 91529 or 91530 EXTNAL
NG (via Ministry of Foreign
Affairs)**

Salutation: Dear President

2) Mr Clement Akpamgbo
Attorney General of the Federation,
Minister of Justice and member of the
National Defence and Security Council
Ministry of Justice
Abuja
Federal Capital Territory
Nigeria
**Telegrams: Attorney General Akpamgbo,
Abuja, Nigeria**
**Telexes: [0905] 91529 or 91530 EXTNAL
NG (via Ministry of Foreign
Affairs)**

Salutation: Dear President

3) Mr Rufus Ada George
State Governor
Government House
91000 Port Harcourt
Rivers State, Nigeria
Telegrams: State Governor Rufus Ada George, Port Harcourt,

Salutation: Dear Governor

COPIES OF YOUR APPEALS TO:

Chief Matthew Mbu
Minister of Foreign Affairs and member of
the National Defence and Security Council
Ministry of Foreign Affairs
Maputo Street
Abuja
Federal Capital Territory
Nigeria
Shell Petroleum Development Corporation of Nigeria ltd
POB 2418, Lagos, Nigeria
Fax: (234) 1 2619782

General Sani Abacha
Chief of Defence Staff and
Minister of Defence
Defence Headquarters
Ministry of Defence
Abuja
Federal Capital Territory
Nigeria

and any of the following newspapers:

Nigerian Star, PMB 73, 97 Aggrey Road, Port Harcourt, Rivers State, Nigeria
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

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 30 June 1993.