

EXTERNAL (for general distribution)

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Further information on UA 354/91 (AFR 44/13/91, 25 October 1991) - and follow-ups: AFR 44/14/91 of 31 October 1992, AFR 44/15/91 of 4 November 1991 and AFR 44/02/92 of 10 March 1992 - Death Penalty/Legal Concern

NIGERIA: Paul Iguele - released
Sunday Tomoloju - released
Trooper Olajide Adelaku
Trooper Chris Aniebi
Lance Corporal Pullen Blacky
Private Okam Enana
Lance Corporal Lucky Iwiero
Warrant Officer Jomo James
Warrant Officer David Mukoro
Sergeant Gatir Ortoo
Trooper Fakolade Taiwo

Paul Iguele and Sunday Tomoloju were among 11 civilians released by the Nigerian authorities on 12 March 1992. The nine army officers convicted with Paul Iguele and Sunday Tomoloju are still held, reportedly in incommunicado detention.

Paul Iguele and Sunday Tomoloju had been held since April 1991. In October 1991, they were tried in secret with nine army officers by a Special Military Tribunal on charges of treason and concealment of treason. Some or all had apparently been acquitted in two previous trials also held *in camera*. The third trial was then held with different members of the military government presiding. Amnesty International considered this trial to be grossly unfair: the court could not be considered to be independent, the earlier acquittals were ignored and the defendants had no right to appeal. At the end of the trial, eight were sentenced to death (later commuted to life imprisonment) and three were sentenced to life imprisonment (later reduced to 10 years).

The nine civilians released with Paul Iguele and Sunday Tomoloju are the relatives of people suspected of involvement in the April 1990 coup attempt. They included Gloria Anwuri, Rhoda Heman-Ackah, Gloria Mowarin, Charles Mukoro, Christine Oziegbe and Pat Obahor whose cases had been taken up by Amnesty International (see Nigeria: Detention of hostages, AI Index: AFR 44/11/91, 8 October 1991). The others reported to have been released were Edward Aigbe, Larry Ogburo and Maria Ogburo. No official reason had been given for their long detention without trial and Amnesty International believes that they were held, effectively as hostages, because of their family relationships with people sought by the authorities.

FURTHER RECOMMENDED ACTION: Please send express and airmail letters

- welcoming the release of Paul Iguele, Sunday Tomoloju and nine other civilian detainees but expressing concern at their long incommunicado detention;
- asking on what grounds Paul Iguele and Sunday Tomoloju were released following their sentencing to long prison terms by the Special Military Tribunal and whether they were released because they had been acquitted at earlier trials;
- seeking details of the three trials, including the names of the 11 men convicted and the charges against them, and urging that they be made public;

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- expressing concern that the nine army officers convicted by the Special Military Tribunal in October 1991 are reportedly still held in incommunicado detention following their conviction;
- seeking information about the legal basis of their continued detention incommunicado and calling for them to be given full access to lawyers and family;
- urging that those prisoners who were previously acquitted be released and that those not previously acquitted be allowed to appeal against the decisions of the Special Military Tribunal to a higher, independent court.

APPEALS TO:

1) General Ibrahim Babangida

Salutation: Mr President

President, Commander-in-Chief of the Armed Forces
State House
Abuja
Federal Capital Territory
Nigeria

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

Salutation: Dear Admiral Aikhomu

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

Salutation: Dear General Abacha

COPIES OF YOUR APPEALS TO:

Major General (Retd) Ike O.S. Nwachukwu
Minister of Foreign Affairs
Ministry of Foreign Affairs
PMB 130, Garki, Abuja
Federal Capital Territory
Nigeria

and the following newspapers:

Vanguard, PMB 1007, Apapa, Lagos, Nigeria

Newswatch, PMB 21499, Ikeja, Lagos, Nigeria

Nigerian Mirror, Iwaka Road, Onitsha, Anambra State, Nigeria

Daily Star, 9 Works Road, PMB 1139, Enugu, Enugu State, Nigeria

Nigerian Observer, PMB 1334, Benin City, Edo State, Nigeria

Nigerian Tribune, PMB 1095, Owerri, Imo State, 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 9 June 1992.