
amnesty international

ENIGERIA

@Death sentences and executions for armed robbery

7 MAY 1992

AI INDEX: AFR 44/04/92

DISTR: SC/CO/GR

Amnesty International has learned of the sentencing to death of six men for armed robbery and is concerned that their executions could be carried out in the near future. The organization has also received confirmation of six executions carried out in August and September 1991.

Death Sentences

Nelson Aliba was sentenced to death on 20 August 1990 on a charge of armed robbery by the Robbery and Firearms Tribunal, in Owerri, **Imo State**. He said he was aged 15 at the time of his arrest in November 1987 but the court did not accept his evidence.

Sabastine Ojukwu was sentenced to death by a Robbery and Firearms Tribunal in Onitsha, **Anambra State** on 17 December 1990. He had been convicted of armed robbery. He said that at the time of his arrest in 1983, he was aged 17 and still at school; under Nigerian law, those convicted of committing an offence while they are 17 years of age can be sentenced to death and executed. He is awaiting the outcome of his plea for clemency to the State Governor.

In July 1991 four men were sentenced to death by the Robbery and Firearms Tribunal in Enugu, Anambra State (now **Enugu State**) for separate armed robbery offences. **Monday Okonkwo** and **Obika Ozoji** were convicted of robbing a traditional ruler in 1989. Another man at the same trial was acquitted due to lack of evidence. In separate trials in July 1991, **Anselem Nzekwe** and **Romanus Obasi Aniwere** were also

sentenced to death for armed robbery. It is not known if they have petitioned the State Governor for clemency.

Executions

Five men were executed by firing squad in August 1991 at a military camp in Ibadan, **Oyo State**. Details of their arrest, trial and conviction are not known. Those executed were **Kayode Erinso**, 26; **Danladi Mohammed**, 26; **Sanni Musa**, 21; **Taiwo Odunuga**, 52, a former army captain; and **Victor Omojan**, 24.

Igwe Onu is believed to have been executed at an army barracks in Calabar, **Cross River State** on 21 September 1991. He had been sentenced to death by the state Robbery and Firearms Tribunal following his conviction for armed robbery. The date of his conviction is not known.

Under the Robbery and Firearms (Special Provisions) Decree of 1970, a mandatory death penalty was introduced for armed robbery for the first time throughout the whole of Nigeria. During the period of civilian rule from 1979 to 1983, jurisdiction in armed robbery cases was restored to the High Court, which allows full rights of appeal to the Court of Appeal and Supreme Court, and a relatively small number of executions took place. In 1984 the right of appeal in armed robbery cases was again suppressed when the new military government which had taken power in 1983 re-established Robbery and Firearms Tribunals. Each Tribunal is presided over by a High Court judge; in January 1991, the law was amended removing senior armed forces and police officers from the Tribunals. Death sentences imposed by such tribunals may be by firing squad or by hanging and are subject to confirmation by the State Governor, who may be advised in his decision by an Advisory Committee on the Perogative of Mercy. Elected civilian State Governors took office in January 1992 as part of the transition to civilian rule which is due to be completed in 1992.

In 1984, 355 death sentences were carried out and in 1985 a further 301 executions took place. After another military government came to power in August 1985, the number of executions declined, although a further 200 executions were carried out from 1986 to 1988. In 1990 over 120 people were executed, 69 of them after being convicted of involvement in a coup attempt in April 1990. In 1991 at least 15 people were executed. In 1992 Amnesty International has learned of death sentences being commuted: in January 1992, 13 prisoners in Rivers State, all convicted of armed robbery, had their death sentences commuted to life imprisonment. Eight people convicted of involvement in a coup attempt in April 1990 had their death sentences commuted to life imprisonment in October 1991.

Amnesty International does not condone acts of violence and recognizes the right of governments to bring to justice those responsible for such acts. However, Amnesty International is unconditionally opposed to the use of the death penalty, on the grounds

that it is a cruel, inhuman and degrading punishment which violates the right to life and has been shown to have no special deterrent effect.

KEYWORDS: DEATH SENTENCE] EXECUTION] JUVENILES] MILITARY AS VICTIMS]

**INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED
KINGDOM**
