

EXTERNAL

AI Index: AFR 44/01/97

UA 04/97 Fear of ill-treatment / possible
prisoner of conscience

8 January 1997

NIGERIA Godwin Agbroko, aged about 40, editor of *The Week* news magazine, former
prisoner of conscience

Godwin Agbroko has been detained for nearly three weeks, held incommunicado and without charge or trial. Amnesty International is concerned that he is probably a prisoner of conscience, detained solely on account of his non-violent political views, and that he may be at risk of ill-treatment.

He was arrested at his office in Lagos on 18 December 1996 by officers of the State Security Service, the security police. He has since been transferred to the capital, Abuja, where he remains in incommunicado detention. No official reason has been given for his detention but it is believed to be in connection with a recent article in *The Week* about a dispute between senior military officers. Journalists have previously been detained for exposing such divisions within the military and put under pressure, including by ill-treatment, to reveal their sources.

It is likely that Godwin Agbroko has been detained under the State Security (Detention of Persons) Decree, No. 2 of 1984, which provides for the indefinite, incommunicado detention without charge or trial of any person deemed to be a threat to the security or the economy of the state. The decree also removes the jurisdiction of the courts over such detentions. Although a 1994 amendment to the decree, effectively abolishing *habeas corpus* and preventing courts from even ordering the release of a detainee, has been lifted by the government, in practice the authorities continue to ignore any court orders concerning Decree 2 cases.

BACKGROUND INFORMATION

Senior journalists on *The Week* have previously been detained without charge or trial, including Godwin Agbroko on at least two other occasions. Decree 2 has been used extensively to detain journalists and other government critics incommunicado, sometimes for months or years. Detainees have been held in harsh and life-threatening conditions which amount to cruel, inhuman and degrading treatment.

In October 1996, in response to criticisms by the United Nations Secretary General, the military government announced the appointment of a review panel to examine all security detentions. However, it is headed by the senior security officials who order detentions and its recommendations have to be approved by the head of state. Such reviews, held in secret, confer no rights on detainees, who have, for example, no right to be informed of any accusations against them, to submit in writing or in person any defence to such accusations, to hear any evidence against them or to be legally represented. Such reviews, not being independent of government, do nothing to prevent the continued arbitrary detention of critics of the government.

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

- expressing concern at the arrest and continued detention without charge or trial of Godwin Agbroko, editor of *The Week* news magazine, and asking the reason for his detention;

- urging that he be given immediate access to his family and to a lawyer and doctor of his choice;
- seeking assurances that his conditions of detention conform to the international standards to which the Nigerian Government is committed by law and that he be given all necessary medical treatment;
- expressing concern that he may be a prisoner of conscience, held on account of the non-violent expression of his political views, and appealing for his immediate and unconditional release if he is not to be charged with a recognizable criminal offence and given a prompt and fair trial.

APPEALS TO:

General Sani Abacha
Chairman, Provisional Ruling Council
State House, Abuja, Federal Capital Territory, Nigeria
Faxes: + 234 9 523 2138
Telegrams: General Abacha, Abuja, Nigeria
Salutation: Dear General

Dr Auwalu Hamisu Yadudu
Special adviser to the Head of State on judicial matters
State House, Abuja, Federal Capital Territory, Nigeria
Telegrams: Dr Yadudu, State House, Abuja, Nigeria
Salutation: Dear Dr Yadudu

Major-General Ishaya Bamaiyi
Chief of Army Staff
State House, Abuja, Federal Capital Territory, Nigeria
Faxes: + 234 9 523 2138
Telegrams: Major-General Bamaiyi, Abuja, Nigeria
Salutation: Dear General

COPIES TO:

Mr Justice P.K. Nwokedi, Chairman
National Human Rights Commission
c/o Ministry of Justice, Marina, Lagos, Nigeria

The Editor, *The Week*, PO Box 11333, Ikeja, Lagos, Nigeria
The Editor, *Tempo*, PMB 21531, Ikeja, Lagos, Nigeria
The Editor, *National Concord*, POB 4483, Ikeja, Lagos, Nigeria
The Editor, *The Punch*, PMB 21204, 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 18 February 1997.