

**EXTERNAL (for general distribution) AI Index: AFR
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Further information on UA 64/95 (AFR 44/01/95, 14 March 1995) and follow-up (AFR 44/03/95, 12 April; AFR 44/06/95, 16 June 1995) - Legal and Health Concern / Prisoners of Conscience / Fear of Death Penalty

NIGERIA

Reportedly sentenced to death:
Colonel R.S.B. Bello-Fadile
Lieutenant-Colonel Happy Kefas Bulus
Colonel Lawan Gwadabe (note corrected rank)

Reportedly sentenced to prison terms:
General (Retd) Olusegun Obasanjo
Major-General (Retd) Shehu Musa Yar'Adua
Christine Anyanwu (f)
Ben Charles Obi, Editor
Shehu Sanni, Vice-Chairman

Other prisoners who appear to have been convicted:

Major (Retd) Akinloye Akinyemi
Colonel Emmanuel Ndubueze
Lieutenant-Colonel I. Shuaibu
Alhaji Sanusi Mato

New names: Julius Badejo, State Security Service officer

Quinnet Ajogo, girlfriend of Colonel Gwadabe

Released uncharged:

Bayo Onanuga
Chief A.M. Adisa Akinloye
Chief Titilayo Ajanaku (f)
and about six others

Amnesty International is concerned that death sentences imposed following recent secret treason trials could be confirmed and carried out in the near future, and has renewed its calls

for any death sentences to be commuted by the head of state and no executions carried out.

On 14 July 1995, the Nigerian authorities announced that 40 defendants had been convicted by the Special Military Tribunal and warrants issued for the arrest of three others convicted *in absentia*. The Tribunal's recommendations have been placed before the military government, the Provisional Ruling Council (PRC), for confirmation or disallowal.

No details were provided about who had been convicted, the charges on which they had been convicted or the sentences imposed. The press and public have been excluded from all but the opening session of the first trial of 23 defendants on 5 June 1995.

Conflicting reports from unofficial sources suggest that at least 12 and as many as 15 prisoners may have been sentenced to death - including Colonel R.S.B. Bello-Fadile, Lieutenant-Colonel Happy Kefas Bulus and Colonel Lawan Gwadabe - and that 11 other defendants have been sentenced to between 25 years' and life imprisonment. These are said to include former head of state General (Retd) Olusegun Obasanjo and his former deputy, Major-General (Retd) Shehu Musa Yar'Adua, as well as Christine Anyanwu and Ben Charles Obi, opposition newspaper editors.

Other defendants are reported to have received prison sentences of between two and 25 years. Shehu Sanni, Vice-Chairman of the Campaign for Democracy (CD), is reported to have received a seven-year prison term after being convicted of "managing an unlawful society" in a trial in which the prosecution failed to produce any evidence that the Campaign for Democracy was an unlawful organization or that either it or the defendant had engaged in unlawful activities. He was apparently prosecuted because he refused to give evidence against other CD leaders in exchange for his freedom. Amnesty International considers him to be a prisoner of conscience, and believes that others among those convicted have also been imprisoned for the non-violent expression of their political views.

BACKGROUND INFORMATION

The trials before the Special Military Tribunal have been grossly unfair. The tribunal is an arm of the military government rather than a court of law: an officer in the military government chairs the panel of judges who are all armed forces officers, and its decisions and sentences have to be confirmed by the head of state, General Sani Abacha. It denies all crucial rights of defence, including the defendants' rights to see details of the charges against them, to be defended by a lawyer of their own choice, to be able to prepare their defence properly, to be tried in open court, to address the tribunal in their own defence and to appeal against the tribunal's decisions to an independent court of law. There is no legal recourse against the government's confirmation in such cases; the normal courts are specifically excluded by military decree from challenging any government action.

FURTHER RECOMMENDED ACTION:

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

- expressing concern at reports that as many as 15 defendants have been sentenced to death by the Special Military Tribunal, including Colonel R.S.B. Bello-Fadile, Lieutenant-Colonel Happy Kefas Bulus and Colonel Lawan Gwadabe;**
- urging that any death sentences be commuted and no executions carried out;**
- expressing concern also that the trials before the Special Military Tribunal were grossly unfair and did not meet international standards for fair trial to which Nigeria is committed by its own constitution and by international human rights treaties;**
- calling for the immediate and unconditional release of all prisoners of conscience among those convicted, and for the release of others if they are not to be fairly tried according to international standards for fair trial.**

APPEALS TO:

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Chairman, Provisional Ruling Council

General Sani Abacha

State House

Abuja, Federal Capital Territory, Nigeria

Faxes: +234 9 523 2138

Telegrams: General Abacha, Abuja, Nigeria

Salutation: Dear General

**Vice-Chairman, Provisional Ruling
Council and Chief of General Staff**

Lieutenant-General D. Oladipo Diya

State House

Abuja, Federal Capital Territory, Nigeria

**Telegrams: Lieutenant-General Diya, Abuja,
Nigeria**

Salutation: Dear Lieutenant-General

**Secretary to the Government of the Federation
of Nigeria**

Alhaji Aminu Saleh

State House

Abuja, Federal Capital Territory, Nigeria

Telegrams: Alhaji Saleh, Abuja, Nigeria

Salutation: Dear Secretary

COPIES OF YOUR APPEALS TO:

Chief Tom Ikimi

Minister of Foreign Affairs

Ministry of Foreign Affairs

Maputo Street

**PMB 130, Abuja, Federal Capital Territory,
Nigeria**

**The Editor, *Theweek*, PO Box 11333, Ikeja,
Lagos, Nigeria**

**The Editor, *Newswatch*, PMB 21499, Ikeja,
Lagos, Nigeria**

**The Editor, *The Sunday Magazine*, PMB
21687, Ikeja, Lagos, Nigeria**

**The Editor, *Tempo*, PMB 21531, Ikeja, Lagos,
Nigeria**

**The Editor, *Daily Sketch*, PMB 5067, Ibadan,
Oyo State, Nigeria**

**The Editor, *Daily Times*, PMB 21340, 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 28 August 1995.**