

# ENIGERIA

## @Death sentences for murder

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Amnesty International has learned of the sentencing to death of five men for murder and is concerned that their execution may be carried out in the near future.

### Niger State

Amnesty International previously appealed on behalf of **George Emeruo**, aged 40 years, in November 1989. At that time, the death sentence for murder imposed by the High Court in Minna, Niger State, on 30 September 1985, had been confirmed by the Court of Appeal in Kaduna. It was recently reported that the Supreme Court in Lagos had also upheld the death sentence, and that the prisoner had lodged a petition for clemency with the Military Governor of Niger State. The date of the Supreme Court ruling is not known.

### Plateau State

Four men in Jos, Plateau State, were sentenced to death for murder on 9 April 1991 by the High Court. The murder took place in January 1986. The four men, whose names are unknown to Amnesty International, pleaded guilty to the charge and it is not known whether they have appealed against their sentence.

### Akwa Ibom

**Mbong Udobong** was sentenced to death at the High Court in Eket, Akwa Ibom State for murder. Although the date of his conviction is unknown, it is believed to have been in July 1991. It is not known whether he has appealed against the sentence.

Under Nigerian law, murder cases are tried by the High Court in each state of the federation. Capital sentences passed by these courts are subject to appeal, first to the Court of Appeal, then to the Supreme Court, both of which are federal courts. Death sentences must finally be confirmed by the relevant State Military Governor, who may take advice from the state Advisory Committee on the Prerogative of Mercy, an advisory body made up of leading members of the community.

Whereas those convicted of armed robbery and sentenced to death are normally executed by firing squad, those convicted of murder and sentenced to death by the High Court are executed by hanging. Although hangings continue to take place within prisons, they are not officially announced and it is therefore not known how many people have been hanged in recent years. The majority of executions carried out are believed to be of people convicted of armed robbery by Robbery and Firearm Tribunals and executed by firing squad.

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 1989 Amnesty International learned of only 12 executions, but this appears to have been because executions were no longer being carried out in public; the true number was believed to be considerably higher. In 1990, over 120 people are reported to have executed in Nigeria, 69 of them after being convicted of involvement in a coup attempt in April 1990. So far in 1991 15 people are known to have been executed.

Recent developments in Africa have seen a reduction in the use of the death penalty. Mozambique, São Tomé and Príncipe, and newly independent Namibia abolished the death penalty last year, thereby joining Cape Verde, Africa's first abolitionist state. In Mozambique, government officials said they had found no evidence that the death penalty was a greater deterrent than other forms of punishment. In South Africa, a moratorium on executions was announced in February 1990.

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.

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