

EXTERNAL

AI Index: AFR 44/13/95

2 August 1995

Further information on UA 64/95 (AFR 44/01/95, 14 March 1995) and follow-ups (AFR 44/03/95, 12 April; AFR 44/06/95, 16 June; AFR 44/09/95, 17 July) - Legal and health concern / Prisoners of conscience / Fear of death penalty / Death sentences

NIGERIA

Reportedly sentenced to death:

Colonel (Retd) M.A. Ajayi
Major (Retd) Akinloye Akinyemi
Lieutenant-Colonel V.O. Bamgbose
Colonel R.S.B. Bello-Fadile, Director of Legal Services, Defence Headquarters
Lieutenant-Colonel Happy Kefas Bulus, Nigerian Defence Academy, Kaduna
Colonel Roland A. Emokpae
Colonel Lawan Gwadabe, 46, Commander, 23rd Armoured Brigade, Yola
Lieutenant-Colonel M.A. Igwe
Colonel Emmanuel Ndubueze, General Staff, 3rd Armoured Division, Jos
Lieutenant-Colonel R.D. Obiki
Colonel O. Oloruntoba
Lieutenant-Colonel Samuel E. Oyewole
Major-General (Retd) Shehu Musa Yar'Adua, deputy head of state 1976-7

Reportedly sentenced to life imprisonment:

Christine Anyanwu (f), Editor-in-Chief, *The Sunday Magazine* (TSM)
Julius Badejo, State Security Service officer
Second Lieutenant Richard Emonvhe
Captain M.A. Ibrahim
Peter Ijaola
Lieutenant-Colonel C.P. Izuorgu
Alhaji Sanusi Mato, brother-in-law to Colonel Gwadabe
Felix Ndamaigida
Lieutenant-Colonel O.E. Nyong
General (Retd) Olusegun Obasanjo, head of state 1976-9
Captain A.A. Ogunsuyi
Captain U.S. Suleiman, Commander, 17th Brigade

Reportedly sentenced to prison terms of between 2 and 25 years:

Queenett Allogoa (note corrected spelling) (f), 26, girlfriend of Colonel Gwadabe
Colonel Olu Craig
Ben Charles Obi, Editor, *Classique* magazine
Shehu Sanni, Vice-Chairman, Campaign for Democracy - 7 years
Staff Sergeant Patrick Usikpeko
Colonel D. Usman, lecturer, Nigerian Defence Academy

Others reportedly detained:

Kunle Ajibade, journalist, *The News* magazine
Rebecca O. Ikpe (f), 32, sister-in-law of Colonel Bello-Fadile, civil servant
George Mbah, Assistant Editor, *Tell* magazine

There have been reports of further arrests and secret trials in connection with the alleged coup attempt of March 1995. Amnesty International continues to appeal for all death sentences imposed after the recent treason trials not to be carried out and to be commuted by the head of state.

The Nigerian authorities have still not identified the 40 defendants they said on 14 July 1995 had been convicted by the Special Military Tribunal, and the tribunal's recommendations are still before the military government, the Provisional Ruling Council (PRC), for decision on whether to confirm the convictions and sentences. In particular, it is unclear whether Major-General (Retd) Shehu Musa Yar'Adua is among those sentenced to death. The government has received widespread appeals for clemency and protests over the unfairness of the trials from governments all over the world, including from Ghana and South Africa in Africa, and from Australia, Canada, Denmark, France, Germany, Japan, UK and USA in the rest of the world, as well as from the United Nations, the Commonwealth of Nations and former heads of state.

However, there are continuing reports that defendants have been convicted by the Special Military Tribunal on the basis of totally inadequate evidence, in particular that defendants have been sentenced to death for treason or for conspiracy to commit treason despite no evidence being produced by the prosecution of any act of treason being committed - no gathering of a force to overthrow the government and no intimidation of the head of state by the threat of force - or of any conspiracy to commit treason being committed - no agreement with others to overthrow the government by force. The strongest evidence against some of the defendants appears to be that they simply criticized the government or made proposals for reforms.

There have been further arrests. Rebecca O. Ikpe, sister-in-law of Colonel Bello-Fadile, was arrested on about 18 July 1995 and has since been detained incommunicado, probably a prisoner of conscience arrested for the non-violent expression of her political views. (See also UA 187/95, AFR 44/11/95, 31 July - arrests of human rights and pro-democracy activists).

New trials are reported to have commenced before the Special Military Tribunal.

Kunle Ajibade and George Mbah, two journalists arrested after writing articles critical of the government (see UA 151/95, AFR 44/08/95, 28 June), are reported to have appeared before it last week.

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

- expressing concern at reports that defendants have been convicted by the Special Military Tribunal on the basis of totally inadequate evidence, in particular that death sentences have been passed for treason and conspiracy to commit treason despite no evidence being produced by the prosecution of any act of treason being committed, or of any conspiracy to commit treason being committed;
- expressing concern at the arrest of Rebecca O. Ikpe, sister-in-law to Colonel Bello-Fadile, and at the reported trials before the Special Military Tribunal of Kunle Ajibade and George Mbah, and urging that they be released immediately if they are not to be charged and tried promptly and fairly according to international standards of fair trial to which Nigeria is committed;
- reiterate your appeals for all death sentences imposed following the recent treason trials not to be carried out and to be commuted by the head of state.

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

Lieutenant-General D. Oladipo Diya
Vice-Chairman, Provisional Ruling
Council and Chief of General Staff
State House, Abuja, Federal Capital Territory, Nigeria

Telegrams: Lieutenant-General Diya, Abuja, Nigeria

Salutation: Dear Lieutenant-General

Alhaji Aminu Saleh
Secretary to the Government of the Federation of Nigeria
State House, Abuja, Federal Capital Territory, Nigeria

Telegrams: Alhaji Saleh, Abuja, Nigeria

Salutation: Dear Secretary

COPIES OF YOUR APPEALS TO:

The Editor, *The News*, PMB 21531, Ikeja, Lagos, Nigeria
The Editor, *Tell*, PMB 21749, Ikeja, Lagos, Nigeria
The Editor, *Abuja Times*, Daily Times Publications, Abuja, Federal Capital
Territory, Nigeria
The Editor, *Vanguard*, PMB 1007, Apapa, Lagos, Nigeria
The Editor, *Nigerian Observer*, PMB 1334, Benin City, Edo State, Nigeria
The Editor, *Nigerian Tribune*, POB 78, Ibadan, Oyo State, 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 September 1995.