

EXTERNAL

AI Index: AFR 44/17/97

UA 278/97

Health concern / Legal concern

19 August 1997

**NIGERIAAt least 19 Ogoni detainees**

**Samuel B. Asigha, Michael Doghala, Adam Kaa, Sampson Ntignee, John Banatu, Godwin B.Gbodor, Benjamin Kabari, Nwinbari Abere Papah, Kagbara Basse, Friday Gburuma, Baritule Lebe, Babina Vizor, Paul Deekor, Blessing Israel, Nyieda Nasikpo, Poggbara Zorzor, Ngbaa Baovi, Baribuma Kumanwee, Taaghalobari Kovabel Monsi and possibly two others**

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On 12 August 1997 a group of at least 19 Ogoni prisoners held in Port Harcourt prison, Port Harcourt, Rivers State, announced that they had begun a hunger-strike to "protest against the government's decision to stall court proceedings" against them. Most of the detainees have been held without trial since 1994. Amnesty International is seriously concerned for their well-being, given that many are already in poor health due to the very poor conditions in which they continue to be held.

Most of the detainees were arrested in 1994 after the murder of four Ogoni traditional rulers. They are awaiting trial by the same special tribunal and on identical murder charges to those which were used to execute Ken Saro-Wiwa and his eight Ogoni colleagues in November 1995 after unfair political trials (see UA 200/94, 24 May 1994 and updates).

As yet there is no sign of their being brought to trial, and the authorities have a long record of repeatedly adjourned court hearings and the government ignoring unfavourable court rulings. The authorities have blocked all the prisoners' attempts to be brought to trial or released, by arguing that the case is a federal one, although they decided in the first instance to bring the case before a State Magistrate's Court. The government has appealed against a Federal High Court decision of July 1997 that it did have jurisdiction to decide on the prisoners' application for release on bail.

The detainees continue to be held incommunicado in harsh prison conditions. They are reported to have suffered torture and ill-treatment, such as beatings and detention in solitary confinement in harsh and insanitary conditions that amount to cruel and degrading treatment.

In August 1995 Clement Tusima, arrested with this group of detainees, died in detention as a result of malnutrition, poor prison conditions and medical neglect. Babina Vizor has reportedly suffered serious damage to his sight.

Since their arrest, the detainees have been allowed no access to their families, and irregular and restricted access to their lawyers.

In August 1996, during a rare appearance in court, a photographer for a Nigerian independent newspaper was assaulted by security officers and had his camera seized when he attempted to photograph the prisoners, who looked haggard and ill.

(See also UA 219/95 (AFR 44/19/95, 15 September 1995) and updates.)

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

- expressing concern at the continued detention without trial of the Ogoni detainees and reiterating calls for them to be released if they are not to be promptly and fairly tried by a competent court which meets international standards of fair trial;
  - expressing concern at reports of their ill-health due to harsh and insanitary prison conditions and medical neglect;
  - asking that, while in detention, they be held in conditions consistent with international standards for the detention of prisoners, and granted access to their families, lawyers, doctors and adequate medical care;
  - in view to the additional risk to their health posed by their hunger- strike, urging that immediate steps be taken to address the above concerns;
- if possible, also:**
- calling for a thorough, independent inquiry into the allegations of torture and ill-treatment amounting to cruel and degrading treatment and into the death of Clement Tusima in August 1995.

**APPEALS TO:**

General Sani Abacha  
Chairman, Provisional Ruling Council  
State House, Abuja, Federal Capital Territory, Nigeria  
**Fax: + 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**

Mr Michael Agbamuche  
Minister of Justice and Attorney General  
Ministry of Justice  
Marina, Lagos, Nigeria  
**Telegrams: Mr Michael Agbamuche, Ministry of Justice, Lagos, Nigeria**  
**Salutation: Dear Mr. Agbamuche**

Colonel M. Shehu  
State Military Administrator  
Government House  
91000 Port Harcourt  
Rivers State, Nigeria  
**Telegrams: Colonel M. Shehu, Government House, Port Harcourt, Nigeria**  
**Salutation: Dear Colonel M. Shehu**

**COPIES TO:**

Chief Tom Ikimi  
Minister of Foreign Affairs  
Ministry of Foreign Affairs, Maputo Street  
PMB 130, Abuja, Federal Capital Territory, Nigeria

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

The Editor, *The Punch*, PMB 21204, Ikeja, Lagos, Nigeria  
The Editor, *PM News*, PMB 21531, Ijeka, Lagos, Nigeria  
The Editor, *The Week*, PO Box 11333, Ikeja, Lagos, Nigeria  
The Editor, *Sunday Tribune*, PO Box 78, Ibadan, Oyo State, Nigeria  
The Editor, *Daily Sunray*, 220 Aba Road, Port Harcourt, Rivers 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 2 October 1997.