

AMNESTY INTERNATIONAL

PRESS RELEASE

AI Index: AFR 44/017/2002 (Public)
News Service No: 145
19 August 2002

Nigeria: Death by stoning upheld in the case of Amina Lawal

Amnesty International is gravely concerned at today's decision by a Sharia court of appeal in Funtua in Katsina State, Nigeria, to uphold the sentence of death by stoning imposed on Amina Lawal, a young Nigerian woman who is alleged to have had a child out of wedlock.

"This judgement is incompatible with the Nigerian constitution and also with Nigeria's legal obligations under international human rights law and the African Charter for Human and People Rights," the organization said, adding that "the practice of stoning to death is the ultimate form of torture or cruel, inhuman and degrading punishment prohibited by both the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture."

Amnesty International is strongly opposed to the death penalty in all circumstances on the grounds that it represents the ultimate cruel inhuman and degrading punishment and violates the right to life

Amina Lawal has now been granted 30 days to appeal against the decision.

Amnesty International is asking the Nigerian government to ensure that Amina Lawal enjoys her full rights of appeal in accordance with Nigeria's obligations under international human rights law, including article 6 (2) of the ICCPR and the safeguards guaranteeing protection of the rights of those facing the death penalty.

"Amina Lawal should be allowed to fully enjoy her rights of appeal to a higher, impartial, independent tribunal which follows the due process of law. This sentence must not be carried out." the organization said.

Background

The Nigerian constitution guarantees the right to life and to freedom from torture and cruel inhuman and degrading punishments and the right to fair trial. Nigeria is a state party to the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights. The ICCPR protects the rights to life and in countries which have not abolished the death penalty, sentences of death may be imposed only for the most serious crimes. This has been interpreted by several United Nations bodies, including the United Nations commission on human rights to be limited and not go beyond "... intentional crimes with lethal or extremely grave consequences and ... not to be imposed for non-violent acts such as .. Sexual relations between consenting adults." (Commission on Human Rights Resolution 2002/77, para 4cc).

The case of Amina Lawal does not fit within the strict definition of 'most serious crimes.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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