

EXTRA 67/02

Imm.

NIGERIA Ahmadu Ibrahim (m), aged 32
Fatima Usman (f), aged 30
Mallam Ado Baranda (m), aged 54

The three people named above have been sentenced to death by stoning. Their death sentences could be carried at any time. This is despite outrage expressed by civil society both in and outside Nigeria over the death sentences now regularly handed out in Nigeria's Sharia courts.

Ahmadu Ibrahim, Fatima Usman and Mallam Ado Baranda seem not to have benefited from any legal representation during their trials when the sentences were handed down.

Ahmadu Ibrahim and Fatima Usman of New Gawu in Niger state were both arrested and charged with adultery following a police officer's report, which was brought to court in May this year. The initial sentence handed to Ahmadu Ibrahim and Fatima Usman was five years' imprisonment with a fine of N15,000 (around £75). The state judiciary then called for a retrial because they considered this to be a lesser punishment than was deserved, passed under an "old law".

Mallam Ado Baranda is reported to have been sentenced to death by stoning in Jigawa State for the rape of a nine-year-old girl. Mallam Ado Baranda had 30 days to appeal against the sentence, which was handed down in July. He has allegedly confessed to the crime and has refused to appeal against his conviction.

BACKGROUND INFORMATION

The new Sharia Penal Codes allow Sharia Courts to impose the death penalty even for offences which did not previously carry such a heavy punishment. Under the "old Penal Codes" of Northern Nigeria and also the Nigerian Criminal Code applicable in Southern Nigeria, cases attracting capital punishment could only be tried by the State High Court. Under the new Sharia Penal Codes, this is no longer the case. The new Sharia Penal Codes and Sharia Codes of Criminal Procedure violate many international human rights standards ratified by Nigeria, including the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishments (CAT) and The International Covenant on Civil and Political Rights (ICCPR).

Amnesty International unconditionally opposes the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment. The use of the death penalty 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's Rights.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern at reports that Ahmadu Ibrahim, Fatima Usman and Mallam Ado Baranda are due to be stoned to death imminently, after being sentenced to death by Sharia courts, and calling for the death sentence not to be carried out;

- expressing concern that Nigerian citizens are being sentenced to death by Sharia courts on a regular basis, in blatant violation of the international standards ratified by Nigeria;
- explaining that Amnesty International supports the right not to be subjected to cruel, inhuman or degrading punishment and opposes the death penalty in all cases on the grounds that it is the ultimate violation of the right to life;
- expressing concern that the defendants were not provided with legal representation and that the trials did not conform to international standards of fairness;
- asking for all defendants to be given the right to appeal to higher courts against their convictions and sentences;
- urging that state courts respect the rights enshrined in the Nigerian Constitution and observe legal procedures available under both Islamic and secular law which would ensure humane, equitable and fair treatment of defendants.

APPEALS TO:

His Excellency
 Ibrahim Samiru Turaki (APP)
 State Governor
 Government House
 Dutse
 Jigawa State, Nigeria
Telegram: State Governor, Jigawa State, Nigeria
Salutation: Your Excellency

His Excellency
 Abdulkadir Kure (PDP)
 State Governor, State House
 35000 Minna
 Niger State, Nigeria
Telegram: State Governor, Niger State, Nigeria
Salutation: Your Excellency

Alhaji Sule Lamido
 Minister of Foreign Affairs
 Ministry of Foreign Affairs
 Maputo Street, Zone 3, Wuse District
 PMB 130, Abuja, Federal Capital Territory, Nigeria
Telegram: Foreign Affairs Minister, Abuja, Federal Capital Territory, Nigeria

Fax: + 234 9 523 0208
Salutation: Dear Minister

Minister of Justice and Attorney General
 His Excellency Kanu Agabi
 Ministry of Justice
 New Federal Secretariat Complex, Shehu Shagari Way
 Central Area District
 Abuja, Federal Capital Territory, Nigeria
Telegram: Minister of Justice, Abuja, Federal Capital Territory, Nigeria
Fax + 234 9 5230660
Salutation: Your Excellency

COPIES TO: diplomatic representatives of Nigeria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.