

AI Index: PRE 01/311/2013
25 June 2013

Nigeria: Man dragged to the gallows will now be executed by firing squad

A death row prisoner in Nigeria is due to be executed by firing squad later this week after prison authorities dragged him to the gallows where they hanged four other men on Monday night, Amnesty International has learned.

They were the first known executions in the country since 2006.

Benin Prison authorities in Edo state had planned to hang the man along with the four others, but halted his execution after they realized his death sentence, imposed by a military tribunal, required that a firing squad carry it out.

Amnesty International understands that neither the prisoners nor their families were told of the executions in advance. Secret executions, where prisoners, families and lawyers are not informed beforehand, violate international standards on the use of the death penalty.

“Cruel and inhumane do not even begin to describe the nightmare situation facing this man – and it points to the spectacularly brutal nature of Nigeria’s sudden return to state-sponsored killing,” said Lucy Freeman, deputy Africa director at Amnesty International.

“The resumption of executions in Nigeria is deplorable and extremely worrying. Edo state authorities have already executed four men this week and still plan to execute a fifth – the Nigerian authorities must immediately halt all executions and return to the moratorium on the death penalty that was previously in place.”

The four men hanged at Benin Prison last night still had appeals pending in their cases. Their executions came only hours after a federal High Court had dismissed a lawsuit against three of the execution warrants. The Edo state Attorney General and the prison authorities ignored an appeal and application for stay of execution filed immediately after the judgement. By executing the prisoners, Nigeria has demonstrated a gross disregard for the rule of law and respect for the judicial process.

The fifth man, sentenced by military tribunal, was never able to appeal his original sentence because military tribunals at the time denied defendants the right to appeal – itself a violation of fair trial standards and international law.

Under Nigerian and international law, executions may not be carried out while any appeals are still pending.

“Authorities at Benin Prison simply disregarded the due process requirements under law and in a cold-blooded move they denied the inmates an opportunity to exercise their rights,” said Freeman.

The fifth man who is to face a firing squad has been on death row for 17 years, and was sentenced to death by a military tribunal during the military rule in Nigeria before the return to democracy in 1999. Amnesty International has raised serious doubts about the fairness of trials during that period.

Of the more than 1,000 people currently on death row in the country, scores of others were also sentenced by military tribunals before 1999.

“That Nigeria has resumed executions for sentences passed by military tribunals only amplifies the disregard for human rights,” said Freeman.

“At a time when West Africa and the world are moving away from the death penalty, it is very worrying that Nigeria’s President Goodluck Jonathan defies the clear international trend and has instead encouraged a step backwards for human rights.”

Earlier this month, President Jonathan urged state Governors to sign death warrants for death row prisoners – which in effect allows federal prison authorities to proceed with executions of inmates who are held at state prisons.

The Edo state Governor had signed execution warrants last October for two of the four men executed on Monday.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime, or the individual’s guilt or innocence because it is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.