

9 June 1997

Further information on UA 289/96 (AFR 44/36/96, 12 December 1996) - Fear of ill-treatment / Possible prisoner of conscience and new concerns Prisoner of conscience / Health concern

NIGERIA Otunba (Chief) Olabiyi Durojaiye, aged 63, lawyer and economist,
founding member of the National Democratic Coalition (NADECO)

Chief Olabiyi Durojaiye is reported to be ill because of the harsh conditions in which he is being held. The 63-year-old lawyer, who suffers from high blood pressure, has reportedly had to sleep on the bare floor throughout his detention since December 1996. He has been denied all access to his family and lawyers, and his family has not been allowed to deliver food, medicines or clean clothes for him.

Amnesty International believes that Chief Olabiyi Durojaiye is a prisoner of conscience, detained solely on account of his non-violent political activities.

No charges have been brought against him. Since February, the military government has repeatedly ignored orders by the Federal High Court to produce him before the court and justify his arrest and continued detention. On 24 February government lawyers told the court that he was detained under the State Security (Detention of Persons) Decree, No. 2 of 1984.

This military decree provides for the indefinite detention of any person suspected of threatening the security of the state. It contains no safeguards against arbitrary or unjust detention or cruel, inhuman or degrading treatment.

Although the government repeatedly says that it has restored *habeas corpus*, in practice Decree 2 still specifically removes the power of any legal action or court ruling in connection with any detention under the decree.

No reason has been given for Olabiyi Durojaiye's continued detention incommunicado. He was a founding member of the National Democratic Coalition (NADECO), a democracy coalition of former political leaders and officials. The military government routinely makes unsubstantiated accusations that NADECO is responsible for recent bombings in which a number of people have been killed, and some other NADECO leaders have been detained on treason charges. It appears that Olabiyi Durojaiye is detained because he is an influential opposition politician, particularly within his home area.

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

- expressing concern at reports that Chief Olabiyi Durojaiye is ill because of the harsh conditions in which he is being held, and that he has been denied all access to his family and lawyers;
- appealing for him to receive immediately all appropriate medical care, to be held in conditions of detention that conform to international standards, and to be allowed visits by his family and lawyers;
- expressing concern that he remains in detention without charge or trial and that, despite the government's statement that the rights of *habeas corpus* have been restored in Nigeria, the military authorities have repeatedly failed to obey orders of the Federal High Court to bring Chief Olabiyi Durojaiye before the court and to justify his arrest and continued detention;
- calling for his release on the grounds that he is a prisoner of conscience, detained solely on account of his non-violent political activities.

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

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

Major-General Abdulsalam A. Abubakar
Chief of Defence Staff
Provisional Ruling Council, State House
Abuja, Federal Capital Territory, Nigeria
Telegrams: Chief of Defence Staff, Abuja, Nigeria
Salutation: Dear Major-General

COPIES TO:

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

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 28 July 1997.