

AI INDEX: AFR 44/26/97
9 DECEMBER 1997

Nigeria: Death of prominent prisoner of conscience does not bode well for others detained in harsh conditions

General Sani Abacha should immediately initiate a full and impartial inquiry into the circumstances surrounding yesterday's death in custody of one of Nigeria's most prominent prisoners of conscience, retired Major-General Shehu Musa Yar'Adua, Amnesty International urged today.

Although no announcement has been made by the Nigerian Government, the traditional rulers in his town of origin, Katsina in northern Nigeria, said today that he had died after a short illness.

"Shehu Musa Yar'Adua, along with more than 40 other political prisoners, has been held for two years in harsh and life-threatening conditions for simply being a political threat to the current military government," Amnesty International said.

"His death does not bode well for the lives of the other prisoners, many of whom have suffered serious ill-health as a result of medical neglect and malnutrition in prisons far from their homes, and who have been allowed only brief and occasional visits from relatives under close surveillance."

Shehu Musa Yar'Adua was imprisoned in Enugu, southeast Nigeria, and was reportedly taken more than 500 kilometres to a government hospital in Ibadan, southwest Nigeria, where he died.

He was one of a group of people -- including former head of state retired General Olusegun Obasanjo as well as human rights activists and journalists -- who have been held in terrible conditions since their arrest and conviction for treason two years ago. Their trials in a military barracks in Lagos were a parody of justice.

The defendants were secretly tried by a Special Military Tribunal headed by a member of the military government. They were denied practically all rights of defence, and state witnesses were reportedly tortured into testifying against Generals Obasanjo and Yar'Adua, whose political influence the government feared. They were accused of plotting to overthrow the government although no convincing evidence of such a plot has ever been produced.

Shehu Musa Yar'Adua was one of 14 defendants who were sentenced to death by the Tribunal in July 1995. His sentence was later commuted to 25 years' imprisonment by the head of state, General Sani Abacha.

Medical facilities are non-existent at most prisons and very poor at many hospitals in Nigeria. Enugu Prison is more than 650 kilometres from Shehu Musa Yar'Adua's home in Kaduna, northern Nigeria. Earlier in 1997, his family reported that his conditions of detention were harsh and that he had been made to do menial work in the prison in an attempt to break his spirit.

Amnesty International is calling on the government to ensure all political prisoners be held in conditions which conform to international standards for the treatment of prisoners, that they are given appropriate medical care and immediate access to doctors of their own choice, as well as full access to their lawyers.

Background Information

Shehu Musa Yar'Adua, 54, was perceived as a serious political threat to the current military government's "transition to civil rule" which is likely to result in continued military control of the government. As Chief of Staff and Vice-Chairman of the ruling Supreme Military Council, 1976-79, he was deputy head of state in the only military government in Nigeria to have handed over power to a civilian government. He was a presidential candidate in the 1987-1993 "transition to civil rule", before he was banned from involvement in the transition -- with all other former officials and politicians -- by the then military government. He and other politicians were arrested in December 1991 and detained for more than a month during state governorship elections. His Kaduna-based newspaper, *The Reporter*, was proscribed and its editor detained for two weeks in March 1993 after it criticized the government.

After the military aborted that "transition to civil rule" by annulling the results of the June 1993 presidential election, he was one of the first political prisoners under the current military government which seized power in November 1993: he was arrested and briefly detained in February 1994, apparently for criticizing continued military rule during a press conference.

As an elected member of a part-elected Constitutional Conference in 1994/5, he led a group of Conference delegates who pushed through a motion that the military should hand over power to a civilian government within a year; following his arrest for treason in March 1995, the Conference withdrew the motion under pressure from the military. The recommendations of the Conference and the draft Constitution, which is due to come into force in October 1998, under the current "transition to civil rule", have not been made public.

ENDS.../