

EXTERNAL

AI Index: AFR 44/28/97

19 December 1997

Further information on UA 387/97 (AFR 44/27/97, 9 December 1997) - **Death in custody / Prisoner of conscience / Medical concern / Fear of ill-treatment**

NIGERIA Alhaji Shehu Musa Yar'Adua, 54, former Chief of Staff and Vice-Chairman of the ruling Supreme Military Council 1976-79

new name: Staff Sergeant Patrick Usikekpo, armed forces officer and five other prisoners, names unknown

Concern for the health of political prisoners held in insanitary conditions and without medical care in Nigeria has been increased by the death of six prisoners, including another prisoner of conscience.

On 16 December 1997 prison authorities in Akwa Ibom State, southeast Nigeria, said that six prisoners had died at Uyo prison, including Patrick Usikekpo. The identities of the other five prisoners are not known, nor the exact dates of their deaths. Unofficial reports suggest that they may have died in an epidemic of typhoid fever at the prison and that their bodies were buried without the required autopsies or coroners' investigations into the circumstances of the deaths.

As in the case of Shehu Musa Yar'Adua, Patrick Usikekpo was one of the 41 prisoners of conscience convicted of treason and sentenced to long prison terms after grossly unfair trials by Special Military Tribunal in 1995. An armed forces officer, he was posted in February and March 1995 to guard one of the main accused in the 1995 treason case, **Colonel Lawan Gwadabe**, who had been detained at a government guest house in Jos following his arrest. Patrick Usikekpo, two other staff at the guest house -- duty officer **Second Lieutenant Richard Emouvhe** and steward **Felix Ndamaigida** -- were subsequently charged with being accessories after the fact to treason, accused of plotting Colonel Gwadabe's escape. They had apparently assisted Colonel Gwadabe in sending a note to his cousin, **Alhaji Sanusi Mato**, to inform him of his arrest and ask for his assistance. No evidence was produced of an escape attempt, but they and Sanusi Mato were among 14 defendants who were sentenced to life imprisonment in mid-1995, their sentences being commuted to 15 years' imprisonment in October 1995.

The government has still made no statement about the death in custody of Shehu Musa Yar'Adua on 8 December 1997, despite calls from local human rights organizations for a coroner's inquest into the circumstances of his death.

In Katsina, his town of origin, thousands attended his funeral on 9 December, and hundreds of youths protested in an anti-government demonstration on 14 December. At the time of his death he had been held in Abakaliki prison (note correction, not Enugu), Ebonyi State, southeast Nigeria, following transfer from Enugu prison. He had been in good health three weeks earlier when his wife saw him, but is reported to have died while being transferred to hospital in Enugu (note correction, not Ibadan). The exact cause of death is unclear, being variously ascribed to cardiac or liver problems.

BACKGROUND INFORMATION

On 17 November 1997 the military government, the Provisional Ruling Council, dissolved the 36-member council of ministers, the Federal Executive Council,

and on 17 December announced a new 33-member Council which was sworn in on 18 December.

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

- expressing grave concern that six prisoners, including prisoner of conscience Staff Sergeant Patrick Usikekpo, convicted in the 1995 treason trials, have died in Uyo prison;
- calling for a full public statement about these deaths and the death of Shehu Musa Yar'Adua;
- calling for a prompt, thorough and impartial inquiry into all of these deaths, which should include autopsies carried out by independent and qualified forensic pathologists, should provide protection to witnesses giving evidence to the inquiry and should make public its findings and recommendations;
- urging that other political prisoners be safeguarded immediately from the life-threatening prison conditions in which most are currently held, that they be given immediate access to doctors of their own choice and their lawyers, and that their prison conditions are brought into line with the United Nations' Standard Minimum Rules for the Treatment of Prisoners.

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

Alhaji Bashir Dalhatu
Minister of Internal Affairs, Ministry of Internal Affairs
Abuja, Federal Capital Territory, Nigeria
Telegrams: Internal Affairs Minister, Abuja, Nigeria
Salutation: Dear Minister

Navy Commander Walter Ayo Feghabor
State Military Administrator
Government House, Abakaliki
Ebonyi State, Nigeria
Telegrams: State Administrator, Abakaliki, Ebonyi, Nigeria
Salutation: Dear State Administrator

Navy Captain Joseph A. Adewusi
State Military Administrator
Government House, Uyo
Akwa Ibom State, Nigeria
Telegrams: State Administrator, Uyo, Akwa Ibom, Nigeria
Salutation: Dear State Administrator

COPIES TO:

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

Mr Justice P.K. Nwokedi, Chairman
National Human Rights Commission
National Assembly Complex, Maitama
PMB 444, Garki
Abuja, Federal Capital Territory, Nigeria

The Editor, *Daily Star*, 9 Works Road, PMB 1139, Enugu, Enugu State, Nigeria
The Editor, *Daily Sunray*, 220 Aba Road, Port Harcourt, Rivers State, Nigeria
The Editor, *Newswatch*, PMB 21499, Ikeja, Lagos, Nigeria
The Editor, *National Concord*, POB 4483, Ikeja, Lagos, 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 10 February 1998.