

EXTERNAL

AI Index: AFR 44/02/96

UA 21/96

Prisoner of conscience / Legal concern

31 January 1996

NIGERIA Chief Gani Fawehinmi, lawyer, human rights activist

Chief Gani Fawehinmi, a lawyer and well-known critic of the government, was arrested at his home in Lagos early on 30 January 1996 by officers of the State Security Service (SSS), the security police. He is being held incommunicado at the Lagos State headquarters of the SSS in Shangisha, near Lagos. No charges have been brought. Amnesty International believes that he is a prisoner of conscience detained for his non-violent political activities and that he should be immediately and unconditionally released.

Gani Fawehinmi, who is leader of the National Conscience Party (NCP), was due to address a political rally later on 30 January 1996 at the University of Lagos. Other senior members of the NCP have said that he was intending to call at the rally for a boycott of the forthcoming local council elections in March 1996 and for a speedy end to military rule in Nigeria.

Gani Fawehinmi has been detained by the present military government and its predecessors on numerous occasions in the past because of his work in defence of human rights. No official reason has been given for this latest arrest. He appears to have been detained under the draconian State Security (Detention of Persons) Decree, No. 2 of 1984, which provides for the indefinite incommunicado detention without charge or trial of any person threatening the economy or the security of the state.

BACKGROUND INFORMATION

Gani Fawehinmi is currently involved in a series of legal actions against the authorities. These include legal challenges to the constitutionality of the special tribunal which is due to try 19 Ogoni prisoners on charges of murder in connection with the May 1994 killings of four Ogoni leaders (see update to UA 219/95, AFR 44/39/95, 12 December 1995) and to the constitutionality of the continuing detention without charge or trial of Nosa Igiebor, Editor-in-Chief of *Tell* magazine (see UA 05/96, AFR 44/01/96, 10 January 1996). He is also involved in challenging the constitutionality of the trials and executions of Ken Saro-Wiwa and eight other Ogoni prisoners in November 1995.

Despite Gani Fawehinmi's arrest, the rally he was due to address went ahead at the University of Lagos on 30 January 1996. After the rally, there was a peaceful protest march to the Lagos State headquarters of the SSS in Shangisha, which was broken up by the authorities before it could reach its destination.

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

- expressing concern at the arrest of Chief Gani Fawehinmi and at his repeated detentions because of his work in defence of human rights and his criticism of the government;
- calling for his immediate and unconditional release as a prisoner of conscience;
- seeking assurances that his conditions of detention meet international standards for the treatment of prisoners;
- calling for an end to the use of the State Security (Detention of Persons) Decree No 2 of 1994 to detain government critics without charge or trial.

APPEALS TO:

General Sani Abacha
Chairman, Provisional Ruling Council
State House
Abuja, Federal Capital Territory, Nigeria
Telegrams: General Abacha, Abuja, Nigeria
Faxes: + 234 9 523 2138
Telexes: (0905) 91529 or 91530 EXTNAL NG
Salutation: Dear General

Lieutenant-General D. Oladipo Diya
Vice-Chairman, Provisional Ruling Council and Chief of General Staff
State House
Abuja, Federal Capital Territory, Nigeria
Telegrams: Lieutenant-General Diya, Abuja, Nigeria
Salutation: Dear Lieutenant-General

PLEASE ALSO ORGANIZE APPEALS FROM LAWYERS

COPIES TO:

Mr Michael Agbamuche
Minister of Justice and Attorney General
Ministry of Justice, PMB 130, Abuja
Federal Capital Territory, Nigeria

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

The Editor, *The News*, PMB 21531, Ijeka, Lagos, Nigeria
The Editor, *Tell*, PMB 21749, Ijeka, Lagos, Nigeria
The Editor, *Vanguard*, PMB 1007, Apapa, Lagos, Nigeria
The Editor, *The Guardian*, PMB 1217, Oshodi, 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 21 March 1996.