

\* This is a limited action - please restrict appeals to five per Section \*

UA 72/00

Amputatio**NIGERIABello Garki Zangebi**

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A man has had his right hand amputated for stealing in Zamfara State, in northern Nigeria. This is the first such punishment carried out since Zamfara State introduced a *Sharia* (Islamic law) Penal Code in January 2000. Amnesty International is gravely concerned at this development and fears that others may be at imminent risk of the same punishment.

Bello Garki Zangebi, a Muslim man described as "a notorious cow thief", had his right hand amputated at the wrist on 22 March, according to a statement released by prison authorities the next day. The amputation took place at the state hospital in Talata-Mafara, a town about 80 kilometres northwest of the state capital, Gusau. It was not clear whether the amputation took place inside the hospital or in front of a crowd in the hospital grounds. He had reportedly been convicted by a *Sharia* court more than a month earlier, although details of the conviction were not given. The statement said that he had not lodged an appeal by the 30-day deadline.

The Zamfara State government was reportedly represented at the amputation by the State Commissioner (minister) for Religious Affairs.

**BACKGROUND INFORMATION**

Zamfara is one of several northern Nigerian states to take steps to apply *Sharia* more strictly since the country returned to civilian rule in May 1999. The new Zamfara State *Sharia* Penal Code, which came into force on 27 January 2000, extended the jurisdiction of *Sharia* courts to criminal as well as to civil and personal law cases. Two sentences of flogging were carried out in February 2000 (see UA 46/00, 22 February 2000, AFR 44/01/00). Three other northern states have adopted *Sharia* law. Niger and Sokoto announced on 22 February, and Kano on 27 February, that their State Assemblies had passed laws adopting *Sharia*, and their State Governors had signed them into law.

Up to 600 people died in three days of violence between Muslim and Christian communities in the northern city of Kaduna after thousands of people demonstrated on 21 February against the extension of *Sharia* in Kaduna State. Reprisal attacks began on 28 February in several towns in eastern Nigeria, in which more than 400 northerners died. On 28 February the Federal Government announced that an informal agreement had been reached with northern State Governors not to implement the new laws, but the Governors of Zamfara and some other states later said that *Sharia* would still be implemented in their states.

Two Nigerian human rights organisations, the Human Rights Law Service and the Civil Liberties Organisation, have sought court rulings in the Zamfara State High Court and the Federal High Court in Lagos on whether these new laws contravene human rights and other provisions of the Constitution. Under Article 34 of Nigeria's 1999 Constitution, "no person shall be subject to torture or to inhuman or degrading treatment". Nigeria is also party to international human rights agreements which prohibit torture and cruel, inhuman or degrading punishment.

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

- expressing Amnesty International's grave concern at the amputation of Bello Garki Zangebi's hand by the Zamfara State authorities on 22 March 2000 in Talata-Mafara, Zamfara State;
- explaining that Amnesty International takes no position on the legal or religious system of any country but that it unconditionally opposes the use of amputation as judicial punishment, on the grounds that it amounts to torture or cruel, inhuman or degrading punishment;
- asking for further information about the arrest and trial of Bello Garki Zangebi, in particular the date and place of the trial, the charges on which he was convicted and the sentence imposed, the nature of the evidence against him, whether he was represented by legal counsel and received legal advice on his right of appeal to the higher courts, including the Supreme Court;
- asking whether the defendant was medically examined by a doctor before the punishment was carried out, whether medical personnel were involved in the amputation and whether it was performed under anaesthetic;
- expressing particular concern that the punishment was inflicted in contravention of Article 34 of Nigeria's 1999 Constitution, and of Nigeria's international treaty obligations under the African Charter on Human and Peoples' Rights, which it ratified in 1983, the International Covenant on Civil and Political Rights, which it ratified in 1993, and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which it signed in 1988, all of which prohibit torture and inhuman or degrading punishments;
- appealing for no further corporal punishments to be carried out, and for all torture and cruel, inhuman or degrading punishments to be abolished in law.

**APPEALS TO:**

His Excellency  
Alhaji Ahmed Sani  
State Governor, Government House  
Gusau, Zamfara State, Nigeria

Alhaji Ibrahim Okala  
Commissioner for Justice and Attorney General  
Government House  
Gusau, Zamfara State, Nigeria

**COPIES TO:**

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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 9 May 2000.