

EXTERNAL (for general distribution)

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UA 200/94 Prisoner of conscience / Legal concern

24 May 1994

**NIGERIA Ken Saro-Wiwa, writer and President of the Movement for the Survival
of the Ogoni People (MOSOP)**

Ken Saro-Wiwa was arrested in the early hours of 22 May 1994 after police and armed forces officers reportedly broke into his house in Port Harcourt, Rivers State, in southeast Nigeria. According to Rivers State officials, he is being held at Port Harcourt police headquarters in connection with the murder of four leading members of the Ogoni ethnic group. He has not so far been charged with any offence or given access to his family or a lawyer.

Amnesty International believes that Ken Saro-Wiwa is a prisoner of conscience - held because of his non-violent political activities and criticism of government policies - and is calling on the authorities to release him immediately and unconditionally. Ken Saro-Wiwa has previously been subjected to repeated arrest and harassment in 1993 and 1994 solely because of his campaign against environmental damage and inadequate compensation by oil companies operating in Ogoniland, Rivers State, and because of his influence both within the Ogoni community and internationally. Amnesty International believes that this arrest is part of the continuing suppression by the Nigerian authorities of the Ogoni people's campaign against the oil companies.

Ken Saro-Wiwa was deported from Ogoniland on 21 May after trying to campaign for elections to a constitutional conference. He was taken back to his house in Port Harcourt and prevented from addressing any meetings. Later that day four Ogoni leaders, believed to be electoral candidates, were murdered in Ogoniland. On 22 May the State Military Administrator of Rivers State said that Ken Saro-Wiwa had, in a public meeting, incited youths to commit the murders. However, Amnesty International believes that these accusations are unfounded.

BACKGROUND INFORMATION

In 1993 and again in recent weeks there have been consistent allegations implicating government forces in inter-ethnic killings in Rivers State in which hundreds are believed to have died. The police and army have been responsible for extrajudicial executions of Rivers State villagers: police found to be responsible by a judicial commission of inquiry for killing about 80 people in Umuechem in 1990 were not brought to justice, and alleged extrajudicial executions in 1993 by the security forces have not been the subject of an independent or open inquiry. The security forces were implicated in further inter-communal killings on 3 April 1994 and the destruction of several Ogoni villages; a number of Ogoni villagers were arrested and reportedly remain in detention without charge or trial (see UA 176/94, AFR 44/02/94, 4 May 1994).

In April 1994 the Rivers State authorities set up a special court - the Civil Disturbances Tribunal - with the power to impose the death penalty, not only for capital offences committed in connection with the unrest but also apparently for previously non-capital crimes such as "attempted murder". The tribunal's members may include armed forces officers as low as the rank of captain. Although chaired by a retired judge, its members are not required to have legal training. Defendants may appeal to the High Court but trials before other special courts set up in recent years to try civil unrest and other political cases have been grossly unfair.

On 23 May 1994 the first round of voting began to elect delegates to a conference to help frame a new constitution for Nigeria. The elections are being boycotted by some opposition groups in protest at the annulment of the results of the presidential elections in June 1993 by the military government and at the coup of November 1993 which brought another military government to power.

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

- expressing concern at the arrest on 22 May 1994 of Ken Saro-Wiwa, who has been repeatedly harassed and detained solely because of his campaign against environmental damage and inadequate compensation by oil companies operating in Ogoniland, Rivers State and because of his influence within the Ogoni community;
- seeking clarification of the reasons for the arrest, his place of detention, the legislation under which he is held and any charges against him;
- urging that he be given immediate access to his lawyer and family, provided with all necessary medical care and held in humane conditions;
- stating Amnesty International's belief that he is a prisoner of conscience, held because of his non-violent political activities and criticism of government policies, and calling on the Nigerian authorities to release him immediately and unconditionally.

APPEALS TO

Telexes: (for appeal addresses 1-3): [0905] 91529 or 91530 EXTNAL NG (via Ministry of Foreign Affairs)

1. General Sani Abacha
Chairman, Provisional Ruling Council,
Commander in Chief of the Armed Forces and Minister of Defence
State House, Abuja
Federal Capital Territory, Nigeria
Telegrams: General Abacha, Abuja, Nigeria
Salutation: Dear General Abacha

2. Dr Olu Onagoruwa
Minister of Justice and Attorney General
Ministry of Justice
Abuja, Federal Capital Territory, Nigeria
Telegrams: Minister of Justice Onagoruwa, Abuja, Nigeria
Salutation: Dear Minister

3. Lt-Gen D.O. Diya
Chief of General Staff
State House, Abuja
Federal Capital Territory, Nigeria
Telegrams: Chief of Staff Diya, Abuja, Nigeria
Salutation: Dear Lieutenant-General Diya

4. Lt-Col Dauda M. Komo
State Military Administrator
Government House
91000 Port Harcourt
Rivers State, Nigeria
Telegrams; Administrator Komo, Government House, Rivers State, Nigeria

Salutation: Dear Administrator

COPIES OF YOUR APPEALS TO:

The Editor, *The Guardian*, PMB 1217, Oshodi, Lagos, Nigeria
The Editor, *National Concord*, POB 4483, Ikeja, Lagos, Nigeria
The Editor, *The Punch*, PMB 21204, Ikeja, Lagos, Nigeria
The Editor, *Nigerian Tide*, PMB 5072, Port Harcourt, Rivers State, Nigeria
The Editor, *Point*, 222 Aba Road, Port Harcourt, Rivers State, Nigeria
The Editor, *Weekly Sunray*, 220 Aba Road, Port Harcourt, Rivers State, Nig.

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 6 July 1994.