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@Death sentences and executions for armed robbery

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Amnesty International has received no news of death sentences being passed or executions carried out so far in 1992. However the organization has learned of death sentences on six men convicted of armed robbery in previous years and is concerned that these could be carried out in the near future. The organization has also recently received reports of four further executions in 1990 and 1991.

Joseph Okon was convicted of armed robbery and sentenced to death on 17 September 1980 by Lagos High Court. Joseph Okon has appealed unsuccessfully to the Appeal Court and Supreme Court against conviction and sentence, and is now awaiting the result of his plea for clemency to the Lagos State Governor. The dates of his appeals to the courts are not known.

Sunday Okereke was sentenced to death by a Robbery and Firearms Tribunal in Enugu, Anambra State (now in Enugu State) in 1990 in connection with an armed robbery committed in 1987. Three co-defendants, whose names are not known, were also sentenced to death. It has been alleged that he was a minor, aged under 18 years, at the time of his arrest in 1987.

Akpan Okodi Umo was sentenced to death after being convicted of armed robbery by the Robbery and Firearms Tribunal in Ikot Ekpene, Akwa Ibom State. He is held at Uyo prison, Akwa Ibom State. The date of his conviction is not known. However, Amnesty International is concerned that he and 21 others reportedly under sentence of death in Akwa Ibom State may be in danger of imminent execution. There has been a high rate of executions in Akwa Ibom State in the last two years; in December 1990, 22 prisoners were publicly executed by firing squad in eight districts of Akwa Ibom State, and a further 11 prisoners were publicly executed in March 1991. All had been sentenced to death by Robbery and Firearms Tribunals.

Amnesty International has also recently learned of public executions in Imo State in previous years. **Emeka Igbo** is reported to have been taken to his home town and executed by firing squad on 29 August 1991. He had been convicted of armed robbery and sentenced to death on 25 September 1990 by the Robbery and Firearms Tribunal in Owerri, Imo State. Three prisoners under sentence of death for armed robbery - **Celestine Nwangwu**, aged 40, **Celestine**

Eze, aged 31, and **Sunday Anyaso**, aged 43 - were publicly executed in their home areas in Imo State in 1990. Details of their convictions are not known.

Under the Robbery and Firearms (Special Provisions) Decree of 1970, a mandatory death sentence was introduced for armed robbery for the first time throughout the whole of Nigeria. From 1970 to 1979 there were over 960 executions in Nigeria, some 500 of which were carried out in public by firing squad after trials by Robbery and Firearms Tribunals. During the period of civilian rule from 1979 to 1983, jurisdiction in armed robbery cases was restored to the High Court, which allows full rights of appeal to the Court of Appeal and Supreme Court, and a relatively small number of executions took place. In 1984 the right of appeal in armed robbery cases was again suppressed when the new military government which had taken power in 1983 re-established Robbery and Firearms Tribunals. Each Tribunal is presided over by a High Court judge; in January 1991 senior armed forces and police officers acting as judges were removed from the Tribunals. Death sentences imposed by such tribunals may be by firing squad or by hanging and are subject to confirmation by the State Governor, who may be advised in his decision by an Advisory Committee on the Prerogative of Mercy. Elected civilian State Governors took office in January 1992 as part of the transition to civilian rule which is due to be completed in January 1993.

In 1984, 355 death sentences were carried out and in 1985 a further 301 executions took place. After another military government came to power in August 1985, the number of executions declined, although a further 200 executions were carried out from 1986 to 1988. In 1990 over 120 people were executed, 69 of them after being convicted of involvement in a coup attempt in April 1990. In 1991 at least 15 people were executed. Amnesty International has not received information about any death sentences passed in 1992 so far and no executions are known to have taken place this year. In January 1992, 13 prisoners in Rivers State, all convicted of armed robbery, had their death sentences commuted to life imprisonment. Most recently, death sentences passed on Augustine Eke and eleven other young men convicted of armed robbery in 1988 were commuted to 10 years imprisonment in June 1992 by the civilian State Governor in Lagos State.

In 1984 the United Nations urged that defendants charged with a capital offence should be granted all possible safeguards to ensure a fair trial and allowed an opportunity to contest their convictions and sentences before a higher court. These safeguards continue to be disregarded in Nigeria in both political trials before the Special Military Tribunal and criminal trials before the Robbery and Firearm Tribunals.

Amnesty International does not condone acts of violence and recognizes the right of governments to bring to justice those responsible for criminal acts. However, Amnesty International is unconditionally opposed to the use of the death penalty, on the grounds that it is a cruel, inhuman and degrading punishment which violates the right to life and has been shown to have no special deterrent effect.

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INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM