

EXTERNAL

AI Index: AFR 44/36/96

UA 289/96 Fear of ill-treatment / Possible
prisoner of conscience

12 December 1996

**NIGERIA Chief Olabiyi Durojaiye, aged 63, lawyer and economist, founding member
of the National Democratic Coalition (NADECO)**

Chief Olabiyi Durojaiye has been detained in military custody for more than a week, incommunicado and without charge. He is a possible prisoner of conscience who is at risk from cruel, inhuman and degrading conditions of detention amounting to ill-treatment.

In the early hours on 3 December 1996, seven armed men who identified themselves as officers of the State Security Service, the security police, searched his home in Lagos and arrested him. He is believed to be held at the headquarters of the Directorate of Military Intelligence in Apapa, Lagos, but no official confirmation has been given to his family who have been refused access to him.

There is particular concern for his safety since political detainees are normally held in custody by the security police, not the armed forces.

No reason has been given for his arrest and it is believed that it may be in connection with his support for the pro-democracy grouping, the National Democratic Coalition (NADECO). The government has recently accused NADECO of planning to sabotage forthcoming local government elections. It may fear the influence of former politicians like Chief Olabiyi Durojaiye even though all genuine opposition parties have been excluded.

Chief Olabiyi Durojaiye was a former leading member and presidential aspirant of the Social Democratic Party (SDP), one of the two political parties created by the last military government and allowed to contest elections under the aborted 1987-1993 "transition to civilian rule". He is a lawyer and economist, and a former director of the Central Bank of Nigeria.

BACKGROUND INFORMATION

The SDP's presidential candidate, Chief Moshood Abiola, won the 12 June 1993 presidential elections whose results were subsequently annulled by the military government. He remains in incommunicado detention as a prisoner of conscience following his arrest in June 1994, and is ostensibly awaiting trial on treason charges. NADECO is the pro-democracy grouping of former politicians and government officials which opposed the 12 June annulment and many of whose leaders have been killed, imprisoned, threatened or driven into exile.

In the last year, a number of NADECO supporters have been murdered, most prominent being Moshood Abiola's senior wife, Kudirat Abiola, in June 1996. Amnesty International fears that her assassination was instigated by government agents acting with or without the knowledge of the central authorities. Three NADECO leaders were subsequently detained without charge or trial as prisoners of conscience for several months, supposedly on suspicion of involvement in her murder, in defiance of court orders for their release (see UA 138/96, AFR 44/09/96, 7 June 1996 and updates). They and other political detainees have been subjected to harsh and health-threatening conditions of detention.

Under the current military government's timetable for a return to civilian rule by October 1998, local government elections on a non-party basis were held in March 1996. Further local government elections, to be contested by

political parties and due to be held in December, have been postponed following the government's creation of six new states and, hence, new local government areas, in October. The validity of all elections during the transition to civilian rule has been undermined by the government's blatant manipulation of the registration of political parties in September so as to ban all genuine opposition groups.

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

- expressing concern at the continued detention without charge or trial of Chief Olabiyi Durojaiye and requesting the reasons for his arrest;
- expressing concern that he has been held incommunicado in military custody and urging that he be given immediate access to his lawyer and family and to a doctor of his own choice;
- urging that his conditions of detention conform to the international standards to which the Nigerian government is committed by law and that he be given all appropriate medical care;
- expressing concern that he may be a prisoner of conscience, held for the non-violent expression of his political views, and appealing for him to be released immediately if he is not to be charged and promptly tried for a recognizably criminal offence.

APPEALS TO:

Major-General Abdulsalam A. Abubakar
 Chief of Defence Staff
 Provisional Ruling Council, State House
 Abuja, Federal Capital Territory, Nigeria
Telegrams: Chief of Defence Staff, Abuja, Nigeria
Salutation: Dear Major-General

Colonel Ibrahim Sabo
 Director, Directorate of Military Intelligence (DMI)
 Park Lane, Apapa, Lagos
Telegrams: Colonel Sabo, Director, DMI, Lagos, Nigeria
Salutation: Dear Colonel

Alhaji Ismaila Gwarzo, National Security Adviser
 State Security Service (SSS), Federal Headquarters
 Abuja, Federal Capital Territory, Nigeria
Telegrams: National Security Adviser, SSS, Abuja, Nigeria
Salutation: Dear Sir

COPIES TO:

Mr Justice P.K. Nwokedi, Chairman
 National Human Rights Commission
 c/o Ministry of Justice, Marina, Lagos, Nigeria

The Editor, *National Concord*, POB 4483, Ikeja, Lagos, Nigeria
 The Editor, *The Punch*, PMB 21204, Ikeja, Lagos, Nigeria
 The Editor, *PM News*, PMB 21531, Ijeka, Lagos, Nigeria
 The Editor, *Nigerian Tribune*, PO Box 78, Ibadan, Oyo State, 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 25 January 1997.