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NIGERIA: ADDITIONAL BACKGROUND INFORMATION FOR CURRENT AMNESTY
INTERNATIONAL APPROACHES TO GOVERNMENTS AND FOREIGN COMPANIES

Q: What is AI's position on the imposition of an arms embargo or economic sanctions against Nigeria?

AI takes no stand on the legitimacy of military, economic or cultural relations being maintained with countries where human rights are violated, and this includes taking no position on the imposition of any punitive measures such as boycotts or sanctions on such a country. AI does call on governments, organizations and individuals to take human rights issues into account when dealing with governments and public authorities, and to use whatever influence they may have to promote and protect human rights.

Q: Does this mean AI thinks calling for punitive measures such as these is an ineffective means of promoting respect for human rights?

No. This position should not be taken to imply that AI believes that sanctions or boycotts can never be an effective means of bringing pressure to bear on governments which are responsible for human rights violations. Indeed, there are some examples to the contrary. Rather, AI's position is based on the fact that, as an international organization which reports and takes action on human rights violations in many countries around the world, it would be very difficult to ensure that a policy of pushing for punitive measures could be applied consistently. In AI's experience, the effectiveness and credibility of our reporting and lobbying actions are very much dependent on the ability of the organization to show that it is consistent and authoritative. We know that if we ensure the credibility of our information, other organizations, governments and individuals will be able to use that information in whatever initiatives they choose to undertake.

Q: Do you have the same position regarding an arms embargo?

Yes, AI does not support a total arms embargo on any country. However, AI does oppose transfers of military, security or police equipment, personnel, training or technology, including proven financial or logistical support for such transfers, to governments where such transfers can reasonably be assumed to contribute to serious human rights violations. In some situations, this policy would allow us to call for a cessation in the transfer of certain military, security and police equipment, technology, financial support, personnel or training.

In late November 1995, the European Union (EU) governments agreed to extend restrictions on arms sales, financial aid and travel visas to the Nigerian military government as a direct response to the executions of Ken Saro-Wiwa and eight other Ogoni leaders. The USA and other allies followed suit. The arms embargos are reported to cover all weapons designed to kill, and ammunition, weapon platforms, spare parts, repairs, maintenance and the transfer of military technology. However, AI is concerned that the arms embargoes *may not* cover "non-lethal"

paramilitary, riot control, policing and prisoner-restraint equipment, as well as military, security and police training, since these transfers may be used for continued human rights violations.

Q: What can AI do about particular arms or security equipment sent recently to Nigeria which may be used for human rights violations?

Although AI has no direct evidence that particular military, security and police (MSP) transfers to the Nigerian armed forces have been used to facilitate human rights violations covered by AI's mandate, the Nigerian security forces are known to have carried out such violations using security equipment. Certain paramilitary and "non-lethal" equipment recently transferred to Nigeria from Europe and North America *may be used* for this purpose. The Nigerian security forces have been involved in detentions of prisoners of conscience and probable prisoners of conscience, as well as the torture and ill-treatment of detainees, and extra-judicial killings over the last few years. The internal Security Task Force, is reported to have carried out at least 50 political killings in Ogoniland in 1994.

Relevant AI sections can therefore ask questions of their home governments about each of the following reports of the recent military, security and police transfers to Nigeria: (i) UK security equipment sent since 1993 for which the UK government has authorized 30 licences covering rubber bullets, CS gas and spare parts for armoured vehicles; in addition, an unspecified quantity of armoured vehicles and light tanks; (ii) US security equipment valued at US\$2.5 million sent during 1991-3 and categorized under official US export lists which include "*thumbscrews, leg-irons, shackles, handcuffs, specially designed implements of torture...*", as well as a category which includes "*stun guns, shock batons, electric cattle prods, immobilization guns...*"; (iii) 42 French armoured personnel carriers sent during 1994 plus a quantity of unspecified small arms or security equipment sent since 1993 by a French company; and (iv) 70 Swiss armoured vehicles reportedly ordered in 1993 from a licenced manufacturer in either the UK or Canada.

The AI sections can ask for clarification of what particular military, security and police transfers have recently been sent to Nigeria, what human rights monitoring their government has carried out into the use of such transfers, and exactly what their government's current policy is with regard to the full range of military, security and police transfers being sent to Nigeria -- specifically, whether any further military, security and police transfers will be allowed, for example of paramilitary, riot control, policing and prisoner-restraint equipment, or spare parts and training.

Q: What is AI's position regarding Shell, the multinational oil company, and the human rights violations being committed in Nigeria?

AI routinely addresses itself to corporate actors -- including other governments, commercial companies, organizations and individuals -- who can use their influence with governments to take up AI's human rights concerns. We have applied this policy in dozens of countries around the world.

Shell is not the only large international company in Nigeria, but is clearly an influential player on the Nigerian scene. Also, some of the human rights violations in Nigeria arose from a military crackdown on those protesting, among other things, against environmental damage by oil

companies, in particular Shell. For these reasons, AI believes Shell has a special responsibility to use its influence with the Nigerian Government to press the government to respect its international human rights obligations.

Q: But Shell has said that such a view is “dangerous and wrong”, that it cannot interfere in the political affairs of a country.

Human rights are everyone’s responsibility. The Universal Declaration of Human Rights is not only addressed to governments - it calls upon "every individual and every organ of society" to "strive by teaching and education to promote respect for these rights and freedoms by progressive measures, national and international, to secure their universal and effective recognition and observance..." It is wrong to believe large corporations have no influence on the government, and many corporations recognize that they have a responsibility to do what they can for human rights. It is not “interference” to ask a government to live up to its international legal obligations to protect human rights.

Q: Does AI think governments should cut off all development aid to Nigeria or make such aid conditional on an improvement in the human rights situation?

AI takes no position on “aid conditionality”. But we do ask that in providing development assistance, governments should ensure that the projects they fund conform to international human rights standards, that part of the development assistance budget should be directed at activities specifically for the protection of human rights, and in particular such assistance should be sent not just to governments but also to non-governmental organizations, including those assisting victims of human rights violations. This last point is particularly important in Nigeria where human rights groups have been targeted by the government.
