

EXTERNAL

AI Index: AFR 44/19/95

UA 219/95 Death in detention / Health concern
/ Legal concern

15 September 1995

NIGERIA **Clement Tusima, aged 40, mechanic, supporter of the**
Movement for the Survival of the Ogoni People (MOSOP)
and 17 other MOSOP supporters

Concern for the safety of a group of Ogoni activists in prolonged untried detention has been greatly heightened by the news that one of them, Clement Tusima, has died, apparently after months of serious illness and medical neglect.

Clement Tusima was one of at least 18 detainees held incommunicado and without charge from mid-1994 to June 1995, when they were brought before a Magistrate's Court in Port Harcourt on a "holding charge", believed to be for murder. In June, they were transferred from detention in police cells to Port Harcourt prison, apparently because the police cells were not sufficiently secure.

The 18 were among scores of MOSOP supporters, mostly youths, who were arrested by the Internal Security Task Force (ISTF) following the murder of four Ogoni leaders in May 1994 and the arrest of MOSOP's leaders, held responsible by the government for the murders. The majority of the detainees were reportedly beaten at the time of their arrest and in detention, locked up 24 hours a day in overcrowded and insanitary cells, and denied medical treatment or any access to lawyers or families. The other detainees are believed to have been released uncharged after several weeks or months.

According to reports, although Clement Tusima became ill with diabetes in November 1994 and his health continued to deteriorate, he was denied medical treatment until after his transfer to prison custody in June 1995 when he was admitted to hospital. While in hospital he was reportedly chained to his bed. He was subsequently returned to prison on security grounds and he again became seriously ill. He was eventually readmitted to hospital where he died on or around 14 August 1995.

Amnesty International is concerned that Clement Tusima's co-detainees are also being held in health-threatening conditions and are being denied proper medical care. It is not clear if the 17 are still being held incommunicado. If they are, this will put their health and safety at greater risk.

BACKGROUND INFORMATION

The Movement for the Survival of the Ogoni People (MOSOP) is a non-governmental organization which has been targeted by the Nigerian authorities in recent years because of its political campaign against environmental damage in Ogoniland by oil companies and for increased autonomy for the Ogoni ethnic group.

Leading members of MOSOP, who are currently on trial charged with inciting the murder of the four rival Ogoni leaders, have also suffered serious risks to their health from medical neglect. Despite a report by a military doctor that Ken Saro-Wiwa should receive hospital treatment for a serious heart problem, he was denied all medical treatment for 11 months until it

was ordered by the tribunal. Following his arrest, he was reportedly chained hand and foot for long periods. Other defendants have reported being tortured and beaten in an attempt to make them give false evidence.

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

- expressing serious concern at the death in detention of Clement Tusima;
- urging that an independent inquiry be held into his death, the results of which should be made public;
- expressing concern at reports that the Ogoni detainees detained with Clement Tusima, and other Ogoni prisoners, have been ill-treated during their detention and may be being held in health-threatening conditions;
- seeking guarantees that all the detainees are safeguarded from ill-treatment, health-threatening prison conditions and are granted access to medical care and family visits;
- seeking clarification of the "holding charge" against Clement Tusima's co-detainees, and calling for their immediate and unconditional release if they are not to be promptly brought to trial in accordance with international standards of fairness.

APPEALS TO:

General Sani Abacha
Chairman, Provisional Ruling Council
State House
Abuja, Federal Capital Territory, Nigeria
Telegrams: General Abacha, Abuja, Nigeria
Faxes: +234 9 523 2138
Telexes: (0905) 91529 or 91530 EXTNAL NG
Salutation: Dear General

Lieutenant-Colonel Dauda Musa Komo
State Military Administrator
Government House
91000 Port Harcourt
Rivers State, Nigeria
Telegrams : Administrator Komo, Government House, Rivers State, Nigeria
Salutation : Dear Administrator

COPIES TO:

Controller of Prisons
Nigerian Prison Service
PMB 5048
Port Harcourt
Rivers State
Nigeria

Chief Tom Ikimi
Minister of Foreign Affairs
Ministry of Foreign Affairs
Maputo Street
PMB 130, Abuja, Federal Capital Territory, Nigeria

The Editor, *The News*, PMB 21531, Ikeja, Lagos, Nigeria
The Editor, *Tell*, PMB 21749, Ikeja, Lagos, Nigeria

The Editor, *Vanguard*, PMB 1007, Apapa, 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, *Sunray*, 220 Aba Road, Port Harcourt, Rivers 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 6 November 1995.