

AI INDEX: AFR 44/26/95
1 NOVEMBER 1995

NIGERIA: AMNESTY INTERNATIONAL CONDEMNS DEATH SENTENCES IMPOSED ON KEN SARO-WIWA AND OTHER OGO NI DETAINEES AFTER BLATANTLY UNFAIR TRIALS

Amnesty International condemns the death sentences passed on Ogoni minority rights leader, Ken Saro-Wiwa, and eight others who were found guilty of murder this week, and is urgently calling on the Nigerian authorities to commute these sentences immediately.

"We are appalled that these death sentences were imposed after politically motivated and unfair trials," Amnesty International said today. "At least two of these people, Ken Saro-Wiwa and Dr Barinem Kiobel, are prisoners of conscience and as such should be released immediately."

The nine prisoners were sentenced to death by hanging on 30 and 31 October by a special court that found them guilty of murder. Ledum Mitee and four other defendants in the two trials were acquitted.

The defendants were convicted in connection with the murder of four Ogoni leaders by an angry crowd in May 1994, for which the leadership of the Movement for the Survival of the Ogoni People (MOSOP) was pronounced responsible by the authorities the day after the murders. MOSOP, a non-governmental organization in Rivers State, southeast Nigeria, has been targeted by the government in recent years for its non-violent campaign against environmental damage by oil companies and for more autonomy for the Ogoni ethnic group.

The defendants were detained incommunicado for at least eight months before being charged and several were alleged to have been tortured or ill-treated in military custody. They were convicted in two trials by a Civil Disturbances Special Tribunal in Port Harcourt, Rivers State. This court, which falls outside the normal judicial system, was appointed by the military government especially to try these cases.

Amnesty International is concerned that the defendants have been denied the right to a fair trial and have no right of appeal to a higher or independent court. The trials contravened Nigerian and international standards for fair trial to which the Nigerian government is committed.

The Tribunal has shown itself to be neither independent of government control nor impartial. The Federal Military Government has controlled every aspect of the case: the arrests, investigations, prosecution, appointment of the tribunal and the progress of the trial itself. Two key prosecution witnesses alleged that they were threatened and bribed to give false evidence. The defence lawyers withdrew from the trials in June and July 1995 in protest at continued bias by the Tribunal in favour of the prosecution.

Amnesty International is calling for the release of Ken Saro-Wiwa and other prisoners of conscience among the defendants on the ground that it believes them to have been imprisoned for their non-violent political activities.

The organization is also calling for the release of all other defendants unless their convictions and sentences are to be reviewed by a higher and independent judicial body.

Amnesty International is also urging the release of at least 17 untried Ogoni detainees imprisoned in connection with this case unless they are to be charged and tried promptly and fairly with full rights of defence and without imposition of the death penalty.

These detainees have been detained incommunicado and without trial since mid-1994. One such detainee, Clement Tusima, died in detention in August 1995, apparently after months of serious illness and medical neglect. In June 1995, these detainees were transferred from police detention to prison custody on a "holding charge", but it is not clear whether they too are to be tried by the Civil Disturbances Special Tribunal in connection with the same murders.

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For further information, please refer to *Nigeria: the Ogoni trials and detentions*, 15 September 1995 (AFR 44/20/95).