

May 10, 1990

NIGERIA

AFTERMATH OF ABORTIVE MILITARY COUP

Suppression of Press Freedom, Arbitrary Arrests

Fear of Unfair Trials, Torture and Summary Executions

Africa Watch is concerned that the Nigerian Government may be using an attempted *coup d'etat* on April 22 as a pretext for increasing a crackdown on the press, which had begun earlier. One newspaper, *The Punch*, has been closed down, and several journalists have been detained at the military intelligence barracks for their reporting of events surrounding the abortive coup.

The government has also arrested some individuals who have made comments on the coup that it considered embarrassing and several people are known to be under detention, also at the military intelligence barracks in Lagos.

There are unconfirmed reports of several of the suspected coup plotters being tortured and ill-treated in custody. Africa Watch is investigating, but has not so far verified, further reports of possible summary execution of about 200 suspects.

The government has stated that those involved in the attempted coup will be tried before military tribunals. Africa Watch is concerned that these tribunals do not meet several of the internationally accepted standards for fair trial.

In the early hours of Sunday April 22, 1990, a group of middle ranking Army officers announced the overthrow of the military government of General Ibrahim Babangida.

The coup plotters had seized the main government radio station in Ikoyi, Lagos from where they launched an attack on Dodan Barracks, the official residence of President Ibrahim Babangida, killing, among others, the president's *aide-de-camp*, Lieutenant-Colonel U.K. Bello. Government sources estimated the number of casualties to be six, but outside observers reported that many more may have been killed.

The coup plot was quashed after about twelve hours of intense fighting between loyal government troops and the rebel soldiers. Several soldiers were arrested and are expected to be tried soon. Official government sources put the number of soldiers arrested at 215.

Suppression of Press Freedom

In the past few weeks, the government has become increasingly intolerant of the press. *The Punch*, a daily newspaper, was shut down by the government on April 29 because of its reporting on the coup. Several journalists have also been arrested and are currently in detention at the Directorate of Military Intelligence, Apapa, Lagos, in connection with their reporting on the events of the coup. They include:

- * Nsikkak Essien, editor of the *Concord* newspaper;
- * Chris Mammah, the deputy editor of the *Punch* newspaper;
- * Chris Okojie, the deputy editor of the *Vanguard* newspaper;
- * Willy Bozimo, a correspondent with the News Agency of Nigeria;
- * Tolu Lanrewaju, a correspondent with the government-owned Radio Nigeria and another of his colleagues were declared missing since April 22. They were reportedly on duty at the Radio Nigeria offices on the day of the coup.

In addition:

- * A *Vanguard* cartoonist is currently in hiding;
- * a *Punch* reporter, Lawal Ogienagbon was detained for a day;

Two staff members of the Lagos-based *Daily Champion* newspaper, Sunday Apugo and Emmanuel Shodende, were reported missing on the day of the coup and efforts to locate them have been unsuccessful; however, the vehicle they were driving at the time they were last seen was seen

being driven by soldiers on the day of the coup.

A journalist of the *Guardian* newspaper recounted that when soldiers found out that he and two of his colleagues were journalists, the soldiers ordered them to lie down half naked and forced them to roll on the hard, bare ground, back and forth, receiving kicks from the boots of the soldiers. This appears to typify the hostile attitude shown by government and security officials towards journalists, because of critical press reports on government policies and actions.

Arbitrary Arrests and Detentions

Several people have been arbitrarily arrested and detained because they are known to have criticized the government over some of the issues raised by the coup plotters:

- * Dr. Tunji Braithwaite, a Lagos-based lawyer, was arrested on April 26, apparently for advising the government not to execute the coup plotters and to consider altering government policies in light of the reasons stated for the coup attempt. Dr. Braithwaite is currently detained at the Military Intelligence Headquarters in Apapa, Lagos.
- * Ambassador Jolly Tanko Yusuff, national vice-President of the Christian Association of Nigeria (CAN), arrested for co-signing a statement after the coup plot on discrimination against Nigerian Christians.
- * S.L.S. Salihu, Northern Zone Secretary of CAN, arrested under the same circumstances as Ambassador Yusuff.
- * Saidu Dogo, Kaduna State Chairman of CAN, arrested under the same circumstances as Ambassador Yusuff.

Recently Vice-Admiral Augustus Aikhomu, Nigeria's Chief of General Staff, was reported to have given assurances that the government would not engage in witchhunting or persecution of relatives or associates of the coup plot suspects. However, there have been disturbing reports that a journalist, Onoise Ogunbor, was arrested on April 24 for sharing an apartment with one of the suspects and also that the families of some of the coup suspects have been forcibly ejected from their homes in the Ojo military cantonment.

Fear of Torture and Summary Executions

Africa Watch has received unconfirmed reports of torture or possible summary execution of suspected coup plotters. Journalists present at Bonny camp military barracks in Victoria island,

Lagos, reported seeing about 100 half-naked manacled soldiers who had been left to lie in the heat of the sun after having been kicked and beaten by guards. In the April 24 *Independent*, Gerald Bourke wrote: "There are reports that to facilitate their interrogation, they are being left out in the sun, manacled and naked." Later accounts of torture include beatings of suspects, with rods, sticks, gun butts and shootings on the legs and knees in order to extract information from the suspects.

An unconfirmed military source also disclosed the dumping of about 200 dead bodies at the military hospital in Ikoyi, Lagos. Some of the corpses had bullet wounds that indicated they had been shot in the back. Most of the executed are believed to be junior and low ranking soldiers and civilians whom the government is anxious to eliminate, both to avoid trials and to "teach some lessons" to others of similar status who may wish to engage in similar operations in the future.

Fear of Unfair Trial

Africa Watch is concerned about the likelihood that the suspects will not receive a fair trial.

A recent government source put the number of people undergoing interrogation with the possibility of a trial at 215 soldiers and 200 civilians. The suspects are apparently held under State Security (Detention of Persons) Decree No. 2 of 1984 that empowers the security agencies to detain any person without charge for a renewable period of six weeks.

The date of the trial is as yet unclear, but the soldiers will certainly be tried by a special military tribunal to be established by the governing Armed Forces Ruling Council. A 1986 decree promulgated for the trial of mutineers provides that the tribunal will be made up of military officers representing the Army, Navy and Air Force. Observers also believe that the civilians are likely to be tried by the same military tribunal. The Tribunals have their own procedures that do not necessarily conform to international human rights standards. Defendants will be required to prove their own innocence, rather than the prosecution being required to prove them guilty, as required by the African Charter on Human and Peoples' Rights, to which Nigeria is party.

Fears about the lack of a fair trial for the suspects are well founded. In a statement made soon after the coup attempt, President Babangida stated that the coup plotters would be dealt with in the same manner as those accused of a similar offense in December 1985. On that occasion, military officers accused of plotting to overthrow the government of General Babangida were executed after a quick trial conducted by a military tribunal. It is feared that the President's statement will prejudice the coming trial by its implication that the government has already decided on a guilty verdict for the suspects, and that the trials in the tribunal may only be a charade.

There is a strong likelihood that members of the tribunal who are also serving members of the armed forces may be working under considerable pressure to "discipline" some of their "saboteur" comrades. The decisions of military tribunals in Nigeria are not subject to judicial

appeal, only to confirmation by the Armed Forces Ruling Council.

Conclusion

Government reaction to the coup attempt is the latest in a disturbing trend toward repression in Nigeria. Demonstrations in various parts of the country over government policies regarding economic and religious issues have resulted in attacks on demonstrators by government forces and arrests. Africa Watch is concerned that, in the wake of the coup, future expressions of discontent - whether in print or in the streets - will be dealt with harshly by the government and its security forces.

Recommendations:

Please write appeals to the Nigerian government officials listed below calling for:

- * The immediate and unconditional release of all those detained for the non-violent expression of their beliefs;
- * An end to the arbitrary arrest and harassment of journalists, religious and political leaders who have not committed any crime;
- * The re-opening of the *Punch* newspaper;
- * A fair trial with legal counsel for both military and civilian suspects, in accordance with internationally recognized standards;
- * An end to the torture and ill-treatment of suspects in the custody of police and military authorities;
- * An end to persecution of relatives and associates of those suspected by the government of participating in or sympathizing with the coup attempt.

Please include in your appeals the importance of not using the coup plot as an excuse to clamp down on the political freedoms which are guaranteed in the African Charter on Human and Peoples' Rights to which Nigeria is a party.

Please address your appeals to the following:

General Ibrahim Babangida
President
Federal Republic of Nigeria
Dodan Barracks, Ikoyi
Lagos, Nigeria

Vice Admiral Augustus Aikhomu
Chief of General Staff
General Staff Headquarters
Tafawa Balewa Square
Lagos, Nigeria

Lt. Gen. Sani Abacha
Chairman, Joint Chiefs of Staff
Ministry of Defence
Tafawa Balewa Square
Lagos, Nigeria

Copies to:

Prince Bola Ajibola
Attorney-General and Minister of Justice
Federal Ministry of Justice
Marina
Lagos, Nigeria

His Excellency Hamzat Ahmadu
Embassy of Nigeria
2201 M Street, NW
Washington, DC 20037

His Excellency Professor Ibrahim A. Gambari
Permanent Mission of Nigeria to the UN
733 Third Avenue, 15th Floor
New York, NY 10017

His Excellency Mr. George Dove-Edwin
High Commissioner
High Commission of Nigeria
Nigeria House
9 Northumberland Avenue
London WC2 5BX
United Kingdom

Africa Watch is a non-governmental organisation created in May 1988 to monitor human rights practices in Africa and to promote respect for internationally recognized standards. Its Executive Director is Rakiya Omaar, its Research Director Richard Carver; Alex de Waal is Research Consultant; and Janet Fleischman and Karen Sorensen are Research Associates. Jo Graham and Ben Penglase are Associates.

Africa Watch is part of Human Rights Watch, an organization that also comprises Americas Watch, Asia Watch and Helsinki Watch. The Chairman of Human Rights Watch is Robert L. Bernstein and the Vice-Chairman is Adrian DeWind. Aryeh Neier is Executive Director of Human Rights Watch, the Deputy Director is Kenneth Roth, Holly Burkhalter is Washington Director, Susan Osnos is Press Director and Joyce Mends-Cole is Counsel to Human Rights

Watch.