

**June 14, 1990**

## **NIGERIA**

### **POST-COUP CRACKDOWN CONTINUES**

#### **Press, Lawyers, Government Critics Targeted**

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**Africa Watch is concerned that a crackdown on government critics in Nigeria following an abortive coup d'etat on April 22, has intensified. The government has apparently embarked on an attempt to intimidate all opposition voices, whether or not they appear to have any connection to the coup attempt.**

**Since publication of a newsletter on May 10 concerning Nigeria's suppression of press freedom and arrests of journalists, lawyers and other government critics, Africa Watch has learned of a number of additional incidents of press closures; arrests of journalists, lawyers, university lecturers and government critics; and pressures on detainees and their lawyers who have brought suits against the state. In addition, Africa Watch fears that coup suspects are being ill-treated while awaiting charges, fears that are compounded by unconfirmed reports that a number of detainees are on hunger strike.**

**Africa Watch is also concerned that coup suspects are being denied their right to a fair trial. The trials are being conducted *in camera* by a military tribunal; defendants are required to be represented by government-appointed legal counsel.**

#### **THE PRESS**

**The *Punch* newspaper, which was closed on April 29, was reopened on May 20. However, five more newspapers have since been shut down. Three remain closed and their premises are guarded by armed security personnel. The latest newspapers to be closed down by the government are the *Vanguard* and the *Champion* daily newspapers, both of which were closed on June 9, apparently because of their reporting of an incident in which the governor of Lagos State, Colonel Raji Rasaki, shut down the popular Alaba International Market on the outskirts of Lagos in circumstances that appear to be discriminatory against an ethnic group who dominate trade in**

the market. The papers were re-opened on June 12. In the course of the market's closure, several journalists were arrested and are presently detained. They include:

- \* Emma Agu, editor of the *Champion*,
- \* Aghosa Aimufua, foreign editor of the *Vanguard*,
- \* Chukwu, circulation manager of the *Vanguard*.

Three other newspapers, *Lagos News*, *Lagos Evening News* and *Sunday News*, published by John West Publications, have been closed down since May 1. The newspapers were apparently shut down because of an editorial comment in the *Sunday News* of April 27 on the coup attempt, which the government considered to be "negative and critical." The following journalists of the publication were arrested:

- \* Lateef Jakande, publisher of the group newspapers, who was released the following day;
- \* Banji Ogundele, editor of the *Sunday News*, who remains in custody.

*Newbreed*, a bi-weekly news magazine based in Lagos, has been closed since June 8, apparently because of publication of a letter written by Chief Great Ogboru, who the government accuses of financing the coup attempt. Chief Chris Okolie, the publisher and editor-in-chief of the magazine, was arrested on the same day and remains in detention.

Several other journalists and media employees from across Nigeria have also been arrested and remain in custody. They include:

- \* Journalists and employees of the Anambra Broadcasting Service (ABS), a government-owned radio and television broadcasting station in Enugu, in eastern Nigeria, who had reportedly linked up their television broadcast with the rebel broadcasts on radio. Their names are:

- Michael Ejiofor, deputy managing director of the ABS;
- Emmanuel Osakwe, chief engineer (television);
- Theophilus Osobu, technical assistant.

Chris Okojie, deputy editor of the *Vanguard* newspapers who was arrested by the military authorities on April 24, was released on May 11 without charge and without an official explanation. Nsikkak Essien, editor of the *Concord* newspapers, also arrested, was released the same day after intense interrogation.

Other journalists mentioned in the May 10 newsletter who continue to be detained are:

- \* Chris Mammah, deputy editor of the *Punch* newspaper;
- \* Tolu Olanrewaju, a correspondent for the government-owned Radio Nigeria.

In addition to the arrested journalists, several university lecturers and government critics have been arrested and detained who were not included in the previous newsletter. They are:

- \* **Obaro Ikime, professor of history at the University of Ibadan;**
- \* **Paul Unongo, former minister in the second republic, the last civilian government, headed by President Alhaji Shehu Shagari, which was overthrown by a military coup in 1983;**
- \* **G. G. Darah, lecturer at the Obafemi Awolowo University, Ile-Ife;**
- \* **Idowu Awopetu, lecturer at the Obafemi Awolowo University, Ile-Ife;**
- \* **Professor Toye Olorode, lecturer at the Obafemi Awolowo University, Ile-Ife;**
- \* **Bassey Ekpo Bassey, former local council chairman.**

## **LAWYERS AND HUMAN RIGHTS MONITORS**

**Africa Watch is disturbed by several incidents of government pressure on coup suspects who have challenged their detentions in court and on the detainees' lawyers. Olisa Agbakoba, an attorney and president of the Civil Liberties Organization (CLO), a human rights group based in Lagos, was detained for seven hours on June 8 and questioned about his work on behalf of his clients, the family of Chief Great Ogboru. Two other members of the CLO, including Director of Legal Services Michael Ozekhome and a secretary, were also briefly detained the same day. Agbakoba had filed a motion in the Lagos High Court on behalf of Shadrack Ogboru, the chief's brother, asking the court to decide whether the military tribunal which has authority to try the coup suspects, was established in accordance with the Nigerian**

**constitution. The case was to be heard before the court on June 6, but just before it was due to come up, the Ogboru family requested the court to drop it. Informed observers believe that government pressure is responsible for the family's request.**

**Dr. Tunji Braithwaite, a Lagos lawyer and presidential candidate in the 1983 elections, who has been detained since April 26, discontinued his one million naira (approximately US \$125,000) suit against the government for unlawful detention. Braithwaite's lawyer, Chief Olu Onagoruwa, reportedly read a letter in court written by Braithwaite in which he said he was withdrawing his case because he considered it a "waste of time." Shortly before Braithwaite withdrew the case, the Principal Staff Officer to the President, Colonel Anthony Ukpo, had publicly indicated that Braithwaite was being held under the state security detention law (Decree No. 2) of 1984, which cannot be challenged in court. Seeing that there was no hope of release through the court system, Braithwaite's hopes for release now rest entirely on the government's discretionary powers. Braithwaite has reportedly claimed that he was detained 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.**

**On May 24, Paul Unongo, former minister in the second republic, sued the government for one million naira for unlawful detention. There are reportedly pressures on Paul Unongo's legal counsel to withdraw the suit against the government. The counsel, Chief Olu Onagoruwa, had**

apparently received warnings from the State Security Service (SSS) to discontinue the suit. He was arrested June 1 by the SSS as he was stepping out of a Lagos High Court, for not obeying the warning, and has been in custody since then. Unongo's wife, Victoria, was apparently also arrested. Chief Gani Fawehinmi, Nigeria's most well known opposition attorney who was detained by the government for several months in 1989 again for 43 days early this year, has since agreed to represent Unongo and Onagoruwa.

On May 13, a meeting of the Committee for the Defense of Human Rights (CDHR), held at the residence of CDHR president, Dr. Beko Ransome-Kuti, was broken up by security agents who searched the room and the members in attendance and confiscated some documents.

## **TRIAL OF ALLEGED COUP PLOTTERS**

A military tribunal has been set up to try suspects of the April 22 coup plot. The tribunal, presided over by Major General Ike Nwachukwu, a former Minister of External Affairs and now General Officer commanding the First Mechanized Division of the Nigerian army at Kaduna, includes eight other senior military officers as members.

Ten suspects, including Major Gideon Orka, alleged leader of the coup plot, have been brought before the tribunal. Although journalists were allowed to witness the arraignment proceedings, the trial itself is being conducted *in camera*. The suspects, who are not allowed to choose their own civilian lawyers, will be represented by military lawyers chosen by the tribunal. Africa Watch believes that such conditions are a violation of

the right to a fair trial. Some of the members of the tribunal are believed to have been targets for elimination by the suspected coup plotters. If this is the case, it is doubtful that those members will be unbiased in their decisions. The decisions of the tribunal are not subject to judicial appeal or examination, only to confirmation by the Armed Forces Ruling Council (AFRC). Africa Watch is concerned that such trials, likely to result in a miscarriage of justice, are not subject to appeal.

## **FEARS OF HUNGER STRIKE**

**Africa Watch has received unconfirmed reports that some twenty detainees held at SSS headquarters in Lagos have embarked on a hunger strike to protest their continued detention without charge. Two detainees, Professor Toye Olorode and Dr. Idowu Awopetu, both lecturers at Obafemi Awolowo University (OAU), reportedly went on hunger strike in May 17 and later called it off. Approximately twenty detainees then embarked on a hunger strike on June 4 in support of the two lecturers.**

## **CONCLUSION**

**Africa Watch views with alarm the continuing repression in Nigeria. Even before the events of April 22, President Ibrahim Babangida's promises to return Nigeria to civilian rule in 1992 were viewed with widespread skepticism by the Nigerian public, who have repeatedly been subjected to false promises by a succession of governments, both military and civilian. The recent crackdown can only encourage such doubts and promote instability in the country's fragile civilian institutions.**

## **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 *Lagos News*, *Lagos Evening News* and *Sunday News*;**
- \* A fair trial with freely chosen legal counsel for both military and civilian suspects, in accordance with internationally recognized standards;**
- \* Conditions of detention which are in accordance with internationally recognized standards;**

**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 and other international agreements 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 Defense  
Tafawa Balewa Square  
Lagos, Nigeria**

**Copies to:**

**Prince Bola Ajibola  
Attorney-General and Minister of Justice  
Federal Ministry of Nigeria  
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 organization 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; Richard Carver is Research Director; Alex de Waal is Research Consultant; Janet Fleischman and Karen Sorensen are Research Associates.*

*Africa Watch is part of Human Rights Watch, an organization that also comprises Americas Watch, Asia Watch, Helsinki*

*Watch and Middle East 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.*