

Back From The Brink

*Media Rights Agenda*

**1998 Annual Report On The State  
Of The Media In Nigeria**

# Back From The Brink

*A Report on the State of the Media in Nigeria in 1998*



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## Foreword

Nigerians entered 1998 with a vague hope of the restoration of a civil democratic order at some point in the course of the year. But as the year wore on, it became apparent, even to the most optimistic Nigerian, that whatever order emerged from General Sani Abacha's Transition to Civil Rule Programme would neither be civil nor democratic.

General Abacha had fashioned a transition programme designed only to ensure that he succeeded himself as President. And with this design came one of the most brutal periods in Nigeria's human rights history, since it was only by repression that the "success" of the exclusive transition programme could be guaranteed.

Then by some stroke of divine intervention, the man died. A death that was celebrated throughout the country. His death unearthed tales of bare-faced graft at the highest levels, of official assassinations, widespread human rights abuses. But his death also brought some measure of relief for a beleaguered people.

In this report, rather than adopt the dominant approach of annual reports which is simply a yearly ritualistic cataloguing of human rights abuses, we have decided on a departure from this norm. We have followed an approach which undertakes an extensive chronicle of relevant developments in the media industry during the year under review and attempted an analysis of how they affect the various interest groups - the people, the government and, of course, the media itself.

The reason for this approach is largely because the emergence of the independent news media, particularly in the broadcast sector, has set forth a gale of enterprising can-do spirit across newsrooms of media houses, leading to young professional journalists venturing into the risky business that is broadcasting, which was hitherto believed to be unprofitable.

This has lifted the mass media from its initial stupor and lethargy to one of fierce but healthy competition, leading to quantitative and qualitative growth. The media has thus become service demand flexible, innovative, financially self-sustaining, and investment friendly.

The result is that it has become equally important to assess annual growth in terms of new titles, defunct titles and other developments. The conclusion is that the media has truly attained the status of an industry.

Of course, the traditional recording of instances of attacks on the media continues to feature because it is necessary to continue to sign post the pitiable past which we must never forget.

1998 was a year of mixed blessings for the media. The year began with a continuation of the onslaught on the media which pervaded the previous year. By an intervention, which can only be described as divine, the media was pulled back from the brink of a maniacal destruction. But although the situation of human rights in Nigeria, including with regard to media freedoms, has substantially improved under the new Head of State, General Abdulsalami Abubakar, the changes have been superficial rather than structural. Human rights abuses have continued to occur with impunity.

We can only hope that with another prospect of civil democratic rule taking roots in 1999, the year will leave a tapestry of cheer in the annals of media history in Nigeria.

**Edetaen Ojo**  
Executive Director  
Media Rights Agenda  
February 1999

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# CHAPTER ONE

## GENERAL OVERVIEW/BACKGROUND

**J**ust before the death of General Sani Abacha, Nigeria's former Head of State, the then External Affairs Minister, Chief Tom Ikimi, had denied to the entire world, in reaction to charges of human rights abuses in Nigeria by the United States of America and the international community, that there was any political prisoner in Nigeria or, that freedom of expression was in any way hindered. A friend of the house, apparently influenced by a comment he read somewhere, had in reaction to Ikimi's statement jocularly surmised the state of freedom of expression in Nigeria thus:

*Indeed, we have as much freedom of speech as Americans do. In America, you can stand at the gate of the White House and shout what you think of the President of the United States.*

*Here, you can also stand at the gate of Aso Rock and shout what you think of the President of the United States.*

It drew a lot of laughter, which was a most welcomed comic relief. But beyond that glacial facade, it was classic cynicism that only the situation such as was then prevailing, is capable of provoking.

But a few months later, Mr. Nosa Igiebor would wish in his column in *Tell* thus:

*If this is a dream, please let me not wake up.*

Surprise! Surprise!! Nosa Igiebor, editor-in-chief of *Tell* magazine which, both as a person and as an epitome of his organization, never saw eye-to-eye with the military just a few *days* prior, could so fondly romanticise the prevailing media environment.

Igiebor, who only a few weeks earlier returned from self-exile on account of threats to his life by military authorities. Igiebor, whose wife, Harit, and then three-year old daughter, Obosa, were only by divine grace, saved from death peddled by the late General Sani Abacha's security operatives. Igiebor, whom the military operatives abducted his colleague and managing director of their publishing outfit, Mr. Onome Osifo-Whiskey, on November 9, 1997, on the streets of Lagos on his way to the Church. And who for several months government refused to acknowledged was in its custody until April 14, 1998, six months after.

The above two recitals by two well meaning, intelligent and honest stake holders in the media industry, are no doubt anchored on extreme sentiments to one another. However, neither could be adjudged to be wrong in their assessments.

Indeed, for the Nigerian mass media, 1998 is, paradoxically, a story of sheer pain and soothing balm. Pain from the whips of General Abacha and balm from the message of General Abubakar. Hence the year 1998, has been variously described as one of mixed fortunes for the Nigerian media.

The period can clearly be divided into two parts. The first refers to the months of January to June, and the other, the months of July to December.

The first period, covers the time when the late Head of State, General Sani Abacha, held sway over the lives of Nigerians with iron fisted hands. The second, on the other hand, covers the period that the present Head of State, General Abdulsalami Abubakar, occupied the position.

Journalism practice during the regime of the late Head of State, General Abacha, was hardly distinguishable from a suicide squad mission, going by the repressive machine he maintained to keep the media in check.

It was bad enough that the New York based Committee to Protect Journalists (CPJ), on May 3, 1998, in commemoration of the World Press Freedom Day, listed the late General Abacha as number one in its “Top 10 Enemies of the Press” .

According to the organization, General Abacha “escalated his outrageous assault on the country’s once thriving independent press”. The organization said that at the time of the announcement there were 21 journalists behind bars, more than any other African nation.

According to *Media Rights Monitor*, a news letter published monthly by Media Rights Agenda (MRA), the attacks on the press took an intense dimension in September, 1997, when the press first reported the rapidly failing health of the late head of state.

But for 1998, the offence of the media was for daring to expose General Abacha’s self-succession plan.

With the death of General Abacha on June 8, 1998, last year, a new vista was opened for the media. It offered the media a much needed change of scene. Not anymore the daily harassment, arbitrary arrest of journalists and media workers, imprisonment and threats of it, outright assassination among other arm-twisting practice employed by the former head of state and his overzealous security operatives in the name of national security.

The new vista found concrete expression in the granting of freedom to detained journalists and media workers jailed or detained by the late dictator, General Abacha, as the new military Head of State General Abubakar, embarked on a policy of rapprochement.

Among journalists who have enjoyed the new found tolerance are Kunle Ajibade, editor of *The News* magazines, Ben Charles Obi, editor of the defunct *Weekend Classique*, Chris Anyanwu, publisher and editor-in-chief of *The Sunday Magazine* (TSM); and George Mbah, senior assistant editor at *Tell* magazine.

Since assumption of office, General Abubakar and his minister for information, Chief John Nwodo (Jnr.) as well as other government functionaries, have consistently stressed the critical role of the media in the collective and intricate process of nation building, especially within the context of the present and future challenges.

This have underscored the imperative for a mutually rewarding and positive government – media relations as a means of furthering the frontiers of social harmony, understanding and declared commitment of the military government to genuine national reconciliation.

While that throwing open of the prison door was quite a strategic move, and the outstretched hand of fellowship by the head of state and government functionaries won over the vocal press which had suffered untold hardship for daring to give expression to the widespread opposition to the dictatorial military regime of late General Abacha, there were, however, still instances of attacks on the press.

Like the year before it, most of the attacks in 1998 were directed at *Tell* and *The News* magazines. *The News* and its sister publications and journalists on the stable suffered the most of the attacks. The attacks were motivated by publications exposing various schemes of the late head of state and his security operatives.

Staff members of those publications had to, for the most part, abandon their offices, in the few times that security operatives did not seal them up, to operate clandestinely.

The broadcast media did not fair any better. Apart from some assaults on journalists in the broadcast media, several of them received queries, got demoted and, in some cases, sacked for airing reports the government considered offensive to it.

On the whole, there were 54 recorded incidents of attacks on the press in the year under review. This involved a total of 105 journalists and media workers. In addition to this, there were at least 15 persons who are not journalists but were attacked because they were “unwise” to keep the company of journalists.



This list, it must be noted, is by no mean all inclusive because most harassment go unreported. This is as a result of the fact that victims from experience know that investigations will not be conducted into such complaints. Besides, they mostly bear imprint of official complicity. Indeed the circumstances, seriousness and mode of most of the attacks recorded during this period under review clearly indicate a brazen and deliberate methodology that suggest official complicity.

Most of them occurred between the months of January and June when the late Head of State, General Abacha, held sway. That is the same period grouped as one above. For example, out of the 54 recorded attacks, that took place during the year 1998, 35 took place during the first half of the year under late General Abacha. This represents 67.6 percent of the total number of attacks.

The number of journalists and media workers involved in those attacks recorded during late General Abacha era, also totaled 70 representing 66.7 percent of the total number of 105.

Independent Communications Network Limited (ICNL), publishers of *The News* and *Tempo* magazines, suffered an all out attack from security agents of the Federal Military Government for most part of the first half of 1998 in an attempt to cripple its operations.

Numerous journalists and other workers at the publishing company were arrested and detained by security agents who also seized computers and other office equipment after a series of raids at the 26, Ijaiye Road, Ogba, Lagos editorial offices of the magazines and their administrative offices at Fagba Crescent in Ikeja, Lagos.

Similar raids were also carried out at the company's printing facility known as 24 Hours Printing Press, a short distance away from its editorial and administrative offices.

Both magazines and the daily evening newspaper remained on the newsstands throughout the period, although sometimes in limited quantity. Initially, *The News* often assumed a tabloid form, but later reverted to its normal form.

Like in the previous year, no media organization was officially shut down during the year, although the threat of such an eventuality remained real especially during the months of January to June. However, two publications were on March 26, proscribed by the then Osun State military administrator, Lieutenant Colonel Anthony Obi, because of an intra-union misunderstanding among officials of the National Union of Local Government Employees (NULGE). The publications were *NULGE News* and *The True NULGE News*.

The saddest part, however, was the murder of two journalists and the death of a media owner during the year. The first was the murder of Mr. Tunde Oladepo of *The Guardian*. He was shot and killed at his home in Abeokuta by several masked armed men on February 26, in the presence of his wife, children and younger brother.

After shooting him, the gun-men stayed back to ensure that he died while preventing his younger brother from calling help.

The second was the death in detention on July 7, of Chief Moshood Abiola publisher of Concord Group of Newspapers. Besides from being a publisher, Chief Abiola was a great supporter of media causes.

The third was the murder on August 28, of a journalist and publisher of an Enugu-based, quarterly magazine, *News Service*, Mr. Okezie Amurube, by a policeman of the Enugu State police command.

However, one news media house suffered arson attack. On April 15, Ibadan, Oyo State capital witnessed a violent confrontation between security operatives and pro-democracy activist. This led to the raising of *The Monitor* newspaper as a punishment for its publisher, Alhaji Alao Arisekola, a pro-Abacha politician.

But in spite of the pain, we celebrate for we out-lived the man General Sani Abacha, and are faithfully assured that his like will never come our way again.

## CHAPTER TWO

### THE PRINT MEDIA IN 1998

#### GENERAL ENVIRONEMNT

**F**or the media, 1998 could be divided into two eras; the media during General Sani Abacha and the media after Abacha.

Such categorization, was made necessary by the fact that before the sudden demise of the former Head of State, General Sani Abacha, on June 8, last year, the media was walking a tight rope with fears that the late dictator would unleash a final solution to the irritation that the media had, in his opinion, which was shared by his security operatives, become.

Such a line of action for General Abacha became inevitable because apart from the media, all other sectors of the civil society had been emasculated. Vocal individuals who had not been assassinated had been driven underground or into exile.

The fears preceding 1998 remained, resulting in the systematic corrosion of the powers of the media. This was done by the promulgation of anti-media legislation or the outright arrest and detention of journalists. When they were not being arrested and tried, some restrictive legislation that had not been used for decades were brushed up and invoked whenever it was convenient. And this was done regularly.

For instance the Newspaper Decree No. 43 of 1993 was constantly mentioned by successive information ministers under the Abacha administration as a legislation that would “check the excesses of the press and promote professionalism”.

When repressive legislation failed to effectively muzzle the press, General Abacha positioned his security operatives to attack and abduct journalists that defiled the indecent environment to practice their profession.

Besides the fact that journalists became an endangered species, the over 130 publications in the country also lived on borrowed time. General Abacha’s ambition to transform himself into a civilian president made it so in the early months of 1998 when activities by Abacha’s supporters to make him transform himself into a Civilian President had been put on high gear. And journalists who were not taken in by the dictator’s initial hesitation had mounted a vigorous opposition which exposed them to myriad and novel forms of persecution.

Most of them became victims of several anti-press legislation including Decree No. 2 of 1984, Decree No.43 of 1993, Decree No.107 of 1993, Decree No.35 of 1993, Decree No.29 of 1993, Decree No.14 of 1994 and Decree No.1 of 1986.

For example, it was with Decree No. 1 of 1986 that Niran Malaolu, editor of *The Diet* newspaper was tried along with officers and civilians accused of taking part in the phantom coup of 1997. He was sentenced to life imprisonment which was later commuted to 15 years jail term following public out cry.

Before General Abacha’s sudden death on June 8, of 1998, the government was owing media houses and journalists over N28 millions being judgment debts over illegal closure of newspaper houses and detention of journalists.

The choking environment under which the media operated in 1998, did not deter it from being innovative and vibrant. Although some media houses were driven underground, they still published newspapers and magazines that fed the reading public faithfully.

New media houses sprang up including those involved in specialized publishing like *News Times*, *Health Mate*, *Motoring World*, *Evening Express*, *The Evening Star*, *Weekend News*, *Hale and Hearty*, *Status*, *Just* and *Hallmark* newspapers.

Vernacular publications also flourished in 1998. Publications like *Alaroye* and *Akede*, *Asiri*, *Iroyin Alaroye* and *Ayekooto*, hit the news stand.

The prohibitive cost of publishing also took its toll on some publications. Constantly changing economic policies made printing materials expensive and publishing a high risk business. Newsprint that is taken for granted in many other countries became very expensive especially towards the last days of Abacha.

Colour production became the vogue in 1998, just to move with the trend in other parts of the world and satisfy the thirst of the advertisers and readers that are increasingly getting sophisticated. But this could not be sustained on a daily basis because of the expensive nature of the production materials.

Some publications that did not have the regular injection of funds operated fitfully in the first half last year. For instance, *Sketch* newspaper which depends heavily on the government for its survival, operated epileptically for the better part of 1998, until it finally went off the streets for about two months. It emerged towards the end of the year promising not to go off the newsstand anymore.

Also hit by the choking publishing environment was the Plateau Publishing Company, printers and publishes of the *Nigerian Standard* newspaper. It was established in 1972, and was among the second generation of State-owned newspapers in the country.

The general manager of the company, Mr. Ani Joseph, said the company had difficulty raising N2 million it needed monthly to produce and circulate the paper effectively to all the nooks and crannies of the state and its catchments area including Lagos and Abuja.

Mr. Ari said the company required over N12m to pay up cumulative court judgments against the company.

In Port-Harcourt, *Sun Ray* newspaper had to go off the news stand because of financial constraints induced by the economic downturn.

Nigeria's largest and oldest government newspaper, *Daily Times*, was not left out of the heat that engulfed the print media. On at least two occasions during the year under review, the workers embarked on an industrial action to press for the payment of salaries. Before then, the management of the company had retrenched some of the workers in a bid to shore up its fortunes.

The death of Chief Moshood Abiola, apart from affecting the political environment also adversely affected the media industry.

Besides being the publisher of Concord Group of Newspapers, the late Chief Abiola was a frontline supporter of media causes in Nigeria. His death, in detention, was a devastating blow to Concord Group of Newspapers and its manager who were hoping that his release would provide for the company added impetus that would boost its chances in the competitive newspaper industry.

The coming of General Abdulsalami Abubakar, gave journalists the needed fresh air and room to practice effectively for the remaining part of the year.

When General Abubakar assumed office on June 9, 1998, the polluted environment General Abacha left for journalist that made the United Nations Educational, Social and Cultural Organisation (UNESCO) to declare that Nigerian journalists suffer the worst form of censorship, was cleared.

His first demonstration of good faith was the release of journalists jailed by Abacha regime on the spurious charges of being "accessories after the fact of treason". These include Kunle Ajibade, editor of *The News* magazine, Ben Charles Obi, editor of the defunct

*Classique* magazine, George Mbah, senior assistant editor of *Tell* magazine and Chris Anyanwu, publisher and editor-in-chief of *The Sunday Magazine* (TSM).

Also, properties of Independent Communications Nigerian Limited (ICNL), seized by the Abacha regime, were returned.

Talks were even initiated by the new Information Minister, Chief John Nwobodo (Jnr.), with media practitioners represented by Nigerian Press Organisation on how to repeal anti-media laws. One of such sessions took place in October at the National Arts Theatre Iganmu, Lagos in October 1998.

The Nigerian journalist personally in 1998, did not fair badly. Despite the largely suffocating working environment he had to endure in the year under review, he managed by sheer dint of hard work and perseverance, to excel in his onerous responsibility even at great cost to himself and family.

Recognition came from far and wide and in large doses. The awards started early in the year with the 1998 UNESCO / Guillermo Cano World Press Freedom Prize going to Chris Anyanwu publisher and editor-in-chief of *The Sunday Magazine* (TSM) who was then in jail for the offence of being “accessory after the fact” of treason.

She was nominated by the World Press Freedom Committee (WPFC) in Arlington, US, and the Paris-based free expression group, Reporters sans Frontieres (RSF). The prize money was \$25,000.

Next was *The Guardian* photo journalist, Ray Onwuemegulem, who won the Judge’s Special Recognition Grant of the Mother Jones Fund for International Documentary Photography. He was the first Nigerian to win the award.

In August, two Nigerian journalists were among four Nigerians who won, along with 40 others from 18 countries, the year’s Hellman / Hammett Grants. The award is given to people who as a result of expressing their views or because of their political association, are persecuted and are in financial need.

The journalists were Bayo Onanuga, editor-in-chief of *The News*, Babafemi Ojodu, manager editor of the same magazine. The other Nigerian winners were Abdul Oroh, executive director of the Civil Liberties Organization and Mrs. Bose Agbe-Davies Mbah, wife of assistant editor of *Tell* magazine, Mr. George Mbah, who was released along with other detained journalists by General Abubakar, current Head of State on assumption of office.

On September 16, 1998, a senior correspondent with *The Punch* newspaper, Chinwe Ogbuka, along side 23 other journalists from 18 countries world-wide, received the 1998 International Catholic Union of the Press (UNP) Media Awards. The award took place at the headquarters of the UNESCO in Paris, France.

It was the turn of Kunle Ajibade, editor of *The News*, who was released alongside Mbah in July, to be honoured when he was named winner of the 1998 Feuchtwanger Fellowship for being “a distinguished writer and journalist”.

So also did the magazine’s Managing Editor, Babafemi Ojodu, once again received another award, this time the Canadian Journalists for Free Expressions (CJFE) International Press Freedom Awards.

The recognition did not end there as Akin Adesokan, an author and arts correspondence with the *Post Express* newspaper, won the Freedom to Write Award instituted by the PEN Centre, USA.

On the home front, the applause was loud and steady. Several media awards sprang up while the older ones were qualitatively waxing stronger.

Media merit awards of various categories and catchments areas and by various organisations held with much funfair and adulation to the Nigerian journalist.

The Nigerian Media Merit Award which started in 1991 was one of such organisations which honoured the Nigerian Journalist. For 1998 award, it had 20 prizes in all including The Guardian Prize for Investigative Reporter of the Year, Abubakar Imani's Prize for Newspaper Features Writer of the Year, NAFCON's Prize for Entertainment Reporter of the Year.

Others were the Ernest Sesei Ikoli Prize for Newspaper Reporter of the Year and Lateef Jakande Prize for the Political Reporter of the Year.

Also, in this category of journalistic excellence rewarding venture was the Diamond Award for Media Excellence (DAME). During the year under review it rolled out drums for journalists and media houses.

## **LEGAL ENVIRONMENT**

Like a sphinx, the controversial Newspapers Decree No 43 of 1993, continued to rise from its ashes to haunt newspapers and magazines publishers during the year under review.

The decree, promulgated by the General Babangida Administration to regulate the independent press, was declared unconstitutional, null and void by an Ikeja High Court in Lagos on November 18, 1993. Still, the decree hangs like an albatross around the necks of print media owners and journalists.

Although, the decree has not been applied, the former Minister of Information, Dr. Walter Ofonagoro, had in July 1997, claimed that but for his intervention, security agents would have shut down *The Guardian* and the *Daily Times* newspapers in 1996, for non-compliance with the provisions of the decree, as a warning to other newspapers and magazines.

By Decree No. 43 of 1993, the Federal Military Government radically altered the tradition of newspaper control and regulations in Nigeria and imposed stringent new registration and operational guidelines for newspapers and magazines.

Although released by the government on August 16, 1993, it gave the decree a retroactive commencement date of June 23, 1993. Persons intending to own, print or publish newspapers and magazines in Nigeria were given three weeks from the commencement date of the decree (June 23, 1993) to apply for registration (that is by July 14, 1993) after compliance with the pre-registration requirements.

The implications of this is that upon the release of the decree on August 16, 1993, all newspapers and magazines in Nigeria immediately became "illegal" and their owners, printers and publishers automatically became liable to be arrested and detained, prosecuted and convicted. This was even when the structures to effect the registration exercise had not even been established by the government.

By virtue of Section 7 of the decree, it is an offence, punishable with either a fine of N250,000 or imprisonment for a term of seven years or both, for a person to own, established or print a newspaper or magazine not registered under the decree. The registration of existing newspapers and magazines under previously subsisting laws, was extinguished by the decree.

The decision whether or not to register a newspaper or magazine is vested exclusively in the Newspaper Registration Board set up under the decree. Compliance with the formal pre-registration requirements stipulated in the decree does not guarantee registration of a newspaper or magazine as the Newspaper Registration Board has unquestionable discretion to decide whether the registration of a newspaper or magazine is "justified having regard to the public interest".

There are no procedures for challenging the Board's decision not to register a newspaper or magazine. Although the Board's decision whether or not to register a newspaper or magazine is subjective, exclusive and final under the decree, a person seeking

to register a newspaper or magazine must, nonetheless, pay a “non-refundable” fee of N100,000.00

A person seeking to register a newspaper or magazine under the decree is also obliged to pay a pre-registration deposit of N250,000 which will, if the newspaper or magazine is registered, be paid into a fund to meet the amount of any penalty imposed on or damages awarded against the owner, printer, or publisher of the newspaper or magazine by a court of law in future.

As against the practice under the previously applicable Newspapers Act (now repealed by the decree), Decree 43 imposes an immediate penalty on persons seeking to register newspapers and magazines in anticipation of offences which have not yet been committed, which have not yet been adjudicated upon in a court of law, and in respect of which the persons have had no opportunity to defend themselves.

Guardian Newspapers Limited (GNL) filed a suit at an Ikeja High Court on October 15, 1993, against the Attorney-General of the Federation and Attorney-General of Lagos State, challenging the validity of the decree.

The court, presided over by Justice Samuel Omotunde Ilori, the out-going Chief Judge of Lagos State, first issued an interlocutory injunction on November 5, 1993, restraining the government from interfering with the printing and publishing business of GNL pending the final determination of the suit.

In his final judgment delivered on November 18, 1993, Justice Ilori held that the decree was null and void and of no effect, and by a perpetual injunction, prohibited the Government from giving effect to the provisions of the decree.

The Government has not appealed against the judgment, which has also not been over-turned by any appellate court. Yet, government officials continued to threaten the press with it in 1998, especially during the Abacha days.

In September 1993, Media Rights Agenda (MRA), lodged a complaint before the African Commission on Human Rights in Banjul, The Gambia, over the promulgation of the decree.

The Commission held in its decision, given at its 24th Ordinary Session held in Banjul at the end of 1998, that the decree violated Articles 7 and 9 of the African Charter on Human and Peoples’ Rights and requested the Nigerian Government to bring its laws into conformity with the provisions of the African Charter.

The Commission ruled that the decree “invites censorship and seriously endangers the rights of the public to receive information.”

The present Minister of Information, Chief John Nwodo (Jnr.), recently announced that the board has been disbanded. He was, however, silent on the status of the enabling decree.

## CHAPTER THREE

### THE BROADCAST TERRAIN IN 1998

The year 1998 witnessed a mixed grill of activities in broadcasting, as the process of broadcast deregulation which flagged off in 1992, advanced to the establishment of more broadcast stations.

But the problems accompanying the deregulation process remained, particularly the vague licencing process and control by the Government appointed National Broadcasting Commission (NBC).

Private operators of broadcast stations like in the previous year, battled throughout 1998 to stay afloat, and the major concerns were of procuring facilities, revenue generation and Government control.

On Tuesday, October 20, the club of private broadcast operators, under the Independent Broadcasting Association of Nigeria (IBAN) pulled together some life-saving recommendations and which were presented to the Federal Government through the Information Minister, Chief John Nwodo (Jnr).

Expectedly, the IBAN called for a restructuring of the NBC, the broadcast control organ, such that it is removed from the appendages of the minister of information and the head of state.

Under the National Broadcasting Commission Decree No. 38 of 1992, the Commission is empowered to “receive, process and consider applications for ownership of radio and television stations, including cable television services, direct satellite broadcast and other medium of broadcasting.”

Although Section 2(1)(b) as well as Sections 9(2) and 9(3) of the decree suggest that the grant of licences is a function exercised by the Commission, it is clear that the ultimate decision as to who should be granted a broadcasting licence is made by the head of state. This is made so by Section 2(1)(c) of the decree which restricts the function of the Commission (*vis-à-vis* the granting of licences) to merely “recommending applications through the Minister (of Information) to the President, Commander-in-Chief of the Armed Forces for the grant of radio and television licences.”

The decision to grant a broadcasting licence is a purely subjective one.

Although Section (9)(1) and (2) of the decree set out objective criteria such as the corporate status and ownership of the applicant for a broadcasting licence, non-affiliation with any foreign interest, compliance with the objectives of the National Mass Communication Policy, the availability of broadcast frequencies, etc., Section 9(3) of the decree provides that compliance with such objective criteria “shall not entitle an application to the grant of a licence”.

The decree thus affords latitude for a licencing decision to be motivated by purely political consideration, and stands in sharp contrast to the licencing process in some other African countries such as South Africa, where the Independent Broadcasting Authority (the equivalent of Nigeria’s NBC) allocates frequencies only after public hearings, and based on publicly available criteria.

Establishments licenced to broadcast under Decree No. 38 of 1992, are subject to strict monitoring and control by the Commission in relation to purely technical as well as editorial matters.

Thus, the Commission is empowered to approve the transmitter power, the location of stations and areas of coverage of a licenced establishment, as well as to regulate the types of broadcast equipment to be used by it.

Operators of licences stations are obliged to make their broadcast facilities (including equipment and station log book) available for inspection by the inspectorate staff of the Commission.

IBAN members were occupied throughout 1998 in a battle with the NBC over the fees payable by broadcasting houses.

Section 13 (1) (e) and 14(2) of the NBC Decree empowers the Commission to prescribe fees payable by the licensed stations.

The IBAN called for a review of this position and recommended a return to the situation under the Wireless Telegraph Act Cap 469, laws of the Federation 1990 vesting the power to review fees on the National Assembly..

“This will, therefore, remove the present situation of unilateral imposition of asphyxiating fees in millions of naira on private broadcasting stations by the NBC.” IBAN argued.

The arguments were raised against the background of the request by the NBC for the private stations which licences were due for renewal in 1998, to pay up to N5 million as licence renewal fees.

The NBC also requires all privately owned broadcast stations to pay 2.5% of their gross turn over as annual charges without regard to the operational exigencies and capital obligations of the electronic media houses.

The first set of private broadcast licences in Nigeria were due for renewal on June 30 1998. Those which applied include 14 television stations and 13 satellite television redistribution or transmission channels, given approval on June 30, 1993.

Among the stations which survived the storm in the Nigerian Broadcasting environment and which applied for licence renewal were Minaj System Television in Obosi, Degue Broadcasting Network (DBN) in Lagos and Desmims Broadcast Nigeria Limited in Kaduna.

During the year under review, some of the nine additional radio and television stations licenced in October 1997, began transmission. They include Independent Television and Independent Radio in Benin; Jeremi Radio in Warri and Rhythm FM in Lagos. Eleven Radio Stations have so far got the licences to operate independently.

One area of broadcasting which attracted much debate during the year was the collection of radio and television fees or rates from members of the public owning radio and television sets.

Since the inception of broadcasting in Nigeria on December 19, 1932, up to the immediate Post Colonial era, radio and television fees were collected for and on behalf of the broadcasting stations by the post office.

It was subsequently distributed to the stations. The legal regime for this was the Wireless Telegraphy Ordinance now enacted as the Wireless Telegraph Act, 1971, and fashioned after the Wireless Telegraphy Act, 1949, of the United Kingdom.

Under the 1979 Constitution, the powers to collect the fees were transferred to the Local Governments as a way of ensuring an effective collection. But the constitution did not make any pronouncement on the disbursement of the fees so collected by the Local Government as clearly spelt out under the 1961 Act.

And so, the broadcast stations have watched helplessly as Local Government collected and utilize the fees over the years.

During the year, IBAN urged the government to transfer the powers to collect the radio and television fees to the NBC on behalf of the broadcast stations all to no avail.

The Nigerian public continued during the year to call on the government to lift the restrictions on religious and political organisations from owning and running broadcast facilities.



The calls have been anchored on the evolving democratic environment under which a plural media situation will best serve the interest of the public.

Under the current regulations, religious and political organisations are precluded from owning broadcast facilities.

Although community ownership of broadcast facilities received no outright ban in the NBC Decree, the frame-work for the operation of Community radio and television is not in place.

Media Rights Agenda (MRA), through its monthly journal, *Media Rights Monitor* in November 1998 launched a public sensitization campaign to educate Nigerians on the desirability of community broadcasting.

Editorial control remains one of the problems confronting Broadcasting houses in Nigeria, and in 1998, particularly the six months preceding the death of General Abacha, the newsrooms were infiltrated by security operatives. Producers of news related programmes and editors had running battles with these operatives who monitored news productions to ensure the removal of “unpleasant” reports.

The editorial independence of licenced broadcasting outfit is undermined by Section 9(1) of the NBC decree which obliges operators to ensure that such stations are used “to promote national interest, unity and cohesion”

The implication of this provision and the effect it has led in practice is to preclude licenced stations from featuring, say, stories concerning the plight of ethnic minorities such as the Niger Delta which has been vocal in its demand for a better deal from the Federal Government and the oil multinationals regarding the environmental degradation of their communities, since such stories are likely to be considered by the government as promoting ethnicity or disaffection.

The overall effect of various provisions of the decree is that the controls exercised by the Commission in respect of licenced establishments, are invariably dictated by the interests and politics of the military government.

Thus, not only are all the members of the Commission appointed by the head of state, but Section 6 of the decree also specifically provides that the minister of information may give the Commission directives of a general character relating generally to particular matters with regard to the exercise of its functions, and it is the duty of the Commission to comply with such directives.

One such matter in respect of which the Commission is obliged to comply with directives given by the minister of information would apparently be in respect of the Commission’s disciplinary powers over “erring” broadcasters.

By Section 2(1)(n) of the decree, the Commission is empowered to apply sanctions, including revocation of licences of stations which do not operate in accordance with the “public interest”.

Since the military government invariably perceives its interest as being synonymous with “the public interest”, sanctions are likely to be applied for purely political considerations.

The fear of the NBC decree was, for the most part of 1998, the beginning of wisdom for broadcasters.

# CHAPTER FOUR

## THE MEDIA IN GENERAL IN 1998

### LEGAL ENVIRONMENT

**A**part from the Newspapers Decree No. 43 of 1993 and the National Broadcasting Commission Decree No. 38 of 1992 discussed above which, like the Sword of Damocles, hangs over the neck of the print and electronic media, respectively, there are still several other decrees and edicts contained in the statute books which threatened media freedom in 1998.

Some like the Nigerian Press Council Decree No. 85 of 1992, the Offensive Publications (Proscription) Decree No. 35 of 1993, the Newspapers Ordinance Act of 1917, the respective states newspapers laws regulating the printing of newspapers in the various states as well as others which have their origin in the colonial period like the Sedition Offence Act of 1969, Defamatory Act of 1961, and Defamatory and Offensive Publications Act of 1966 and a few others, directly seek to regulate press freedom. Yet, others are of a general nature which though not specifically directed at the press, were frequently invoked on journalists.

This later category includes the State Security (Detention of Persons) Decree No. 2 of 1984 (as amended), which allows for the indefinite and incommunicado detention without charge or trial of any person perceived to threaten the security of the state; the Constitution (Suspension and Modification) Decree No. 107 of 1993, which suspends a person's constitutional rights to compensation or public apology if he is found to have been unlawfully arrested or detained; and the Federal Military (Supremacy and Enforcement of Powers) Decree No. 12 of 1994, which prohibits legal challenges to any of its military decrees or to any action which violates the human rights provisions of the Constitution.

Others are the Treason and Other Offences (Special Military Tribunal) Decree No. 1 of 1986, under which some journalists were convicted on the charge of being "accessories after the fact of treason" in the 1995 and 1997 alleged coup plots; Treason and Treasonable Offences Decree No. 29 of 1993, which provides for a sentence of death to be imposed upon any person who utters any word, displays anything, or publishes any material which the military interprets as capable of breaking up Nigeria; and the Transition to Civil Rule (Political Program) Decree No. 1 of 1996.

Decrees that are specifically directed at the media generally include The Nigerian Press Council Decree No. 85 of 1992. Although it is touted as an avenue for those who feel maligned by the press to seek redress, its independence is compromised by the fact that the President has power to appoint the Chairman of the Council based on the recommendation of the minister of information.

The presence in the council of representatives of government controlled media such as the News Agency of Nigeria (NAN) and the Nigerian Television Authority (NTA), and by the fact that it is government funded, all point to the likely possibility of lack of independence.

All these fears were reinforced in 1998 by the fact that the Council could not move to assert its authority when extra-legal measures were adopted by the government to repress the media.

In the case of the Offensive Publications (Proscription) Decree No. 35 of 1993, which was promulgated by the government of General Ibrahim Babangida, the decree provides for

the proscription, seizure and confiscation of any publication which, in the opinion of the head of state, is likely to:

- “(a) disrupts the process of democracy and peaceful transition to civil rule having regard to its contents; or
- (b) hinder or prevent the progress and process of the grassroots democracy as established by the transition to civil rule programme; or
- (c) disturb the peace and public order of Nigeria”

The decree ousts the jurisdiction of the courts to inquire into any question whether any of the fundamental rights provisions in the 1979 Constitution or the African Charter on Human and Peoples’ Rights has been violated by an order made pursuant to the provisions of the decree. It remains in force to date.

Other media regulation issues which occupied public debate during the year 1998, were the National Mass Media Commission (NMMC) which the 1995 Draft Constitution provides for.

The issue of the National Mass Media Commission regained heightened public attention in 1998 following the decision by the Abubakar Regime that the 1995 Draft Constitution would be the organic law for the incoming civilian government.

Although not yet passed into law, the monstrosity of its punitive propositions was enough to scare the various stake holders in the media industry; media owners, managers, journalists, other media workers and the public, with the exception of the government, which from all indications, felt unperturbed.

The anxiety on the part of the restive populace derives from the fact that the media, even as it was at the worst times during late General Sani Abacha’s regime, would be considered “good old days” compared to the environment the Commission will create for the media to work in, if passed into law.

The only cheering news in that respect was the recommendation by the Justice Niki Tobi-led Constitutional Debate Co-ordinating Committee (CDCC) that the proposed Commission be shelved.

The NMMC as provided for by the 1995 Draft Constitution in Section 154 (1) and Section 46 (1-4) of the First Part of the Third Schedule is, indeed, a hangman.

No document in Nigeria’s constitutional history exemplifies greater contradictions than the 1995 Draft Constitution whose provisions, while seeking to protect the right to freedom of expression, outline elaborate measures to restrict media freedoms and censor the press.

The 1995 Draft Constitution, like other constitutions before it, elevates the right to freedom of expression to a fundamental right. But, also like other constitutions before it, the document stops short of giving press freedom a similar status and, instead, merely imposes a duty on the media to “uphold the provisions of this Constitution ...”

An innovative feature of the Draft Constitution is the implied right of public access to information in the custody of government officials when it states in Section 40(4) that “Every citizen of Nigeria shall be entitled to know and be informed of the activities of the State and any of its organs or agencies.”

However, the vagueness in the wordings of the Sub-section and the lack of a clear cut constitutional provision for giving effect to it, raises concerns about the prospects for its implementation.

A continuing concern emerging from the Draft Constitution, as in previous constitutions, relates to specific provisions guaranteeing freedom of the press.

Section 23 of the Constitution, which is contained in Chapter II of the document (titled Fundamental Objectives and Directive Principles of State Policy), provides that:

“The press, radio, television and other agencies of the mass media shall at all times *be free* to uphold the fundamental objectives contained in this Chapter and highlight the responsibility and accountability of the Government to the people.”

However, Section 6(6)(c) of the Draft Constitution stipulates that the judicial powers vested in the courts “shall not, except as otherwise provided by this Constitution, extend to any issue or question as to whether any act or omission by any authority or person or as to whether any law or any judicial decision is in conformity with the Fundamental Objectives and Directive Principles of State Policy set out in Chapter II hereof.”

In effect, matters contained in Chapter II of the Draft Constitution, including the freedom of the media to highlight the responsibility and accountability of the Government to the people, cannot be enforced or defended in a court of law.

Although the fundamental rights provisions contained in Chapter IV of the Draft Constitution, which is justifiable, restate the duty of the media to hold the government accountable to the people, it neglects to specifically provide protection for members of the press in the discharge this duty and fails to guarantee their freedom beyond the general right to freedom of expression guaranteed every person in Nigeria.

Section 40(3) of the Draft Constitution restates that:

“The print, electronic and other agencies of the mass media *shall at all times uphold* the provisions of this Constitution and in giving coverage to any news or programme ensure the responsibility and accountability of the government to the people and the people to the government.”

But this time, it carefully omits the phrase “be free to” which is contained in Section 23 in the non-justifiable part of the Constitution.

On the whole, Section 40 generally provides for freedom of expressions including freedom to hold opinions and to receive and impart ideas and information without interference; freedom to own, establish and operate any medium for the dissemination of ideas and opinions; and freedom of information.

However, the Section, along with Section 48, go on to provide for derogations from the freedoms guaranteed under these aforementioned Sections, for the purpose of preventing the disclosure of information received in confidence, maintaining the authority and independence of courts or regulating telephony, wireless broadcasting, television or the exhibition of cinematographic films, for the purpose of imposing restrictions upon persons holding government offices, in the interest of defence, public safety, order, morality or health, and during periods of a national emergency.

A National Mass Media Commission is established under Section 154(1)(q) of the Draft Constitution, while Section 46 (1-4) of the First Part of the Third Schedule, provides for the composition and functions of the Commission. These two Sections, taken together, were the controversial areas of the Draft Constitution over which journalists, media executives and other stake holders protested during the period under review.

Specifically, they complained about the provisions of Section 46 (1-4) of the First Part of the Third Schedule which deals with the composition of the commission.

The offending Section states that the Commission shall comprise the following members:

- a distinguished Mass Media Practitioner as Chairman,
- a representative of the Newspapers Proprietors Association of Nigeria,
- a representative of the Radio Proprietor Association;
- a representative of the Television Proprietors Association,

a representative of the Guild of Editors,  
a representative of the Nigeria Union of Journalists,  
a representative of the Ministry of Communications,  
two members to represent the public,  
two other members to represent such interests not otherwise represented as may be determined by the president.

It also states that the functions of the Commission shall be:  
to coordinate, promote and regulate the existence of newspapers, magazines and publications generally as well as radio and television stations in the country;  
to liaise with, monitor and help proprietors of radio, television and publications in the dissemination of lawful information;

to coordinate the activities of all professional bodies of the Mass Media  
to protect individuals against media harassment and intimidation;  
to protect Nigerians against intrusions and unwarranted enquiries into private life of any person without his consent;

to deal with such other matters effecting the Mass Media including Code of Conduct of mass media practitioners, professional and ethical standards as the President may from time to time direct or the National Assembly may by an Act prescribe.

The Section further provides that in addition to the provisions of Subsection (3) of Section 15 of this Constitution, the ownership of any print, electronic or other media organization with inter-state coverage other than those owned by the Government of the Federation shall be by public companies only.

The provisions of Section 15 Sub-section (3) state that:

“The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in the government or any of its agencies.”

A cursory look at the above with respect to Sections 23, 39 and 40, will reveal a recognition by government of the invaluable role the media can play in our quest for national development and stability and the achievement of good governance and followership.

However, the idea of NMMC provided for in Section 154(1)(q) and its composition and functions contained in Section 46 (1-4) of the First Part of the Third Schedule is a retrogressive step in which way it is viewed.

The idea of NMMC makes nonsense of the various relevant organs that already exist in furtherance of the practice of mass communication. Its establishment will wipe out or undermine the relevance of the ministries of information nationwide, professional bodies of the media, the Code of Conduct Bureau, the Nigerian Press Council and the National Broadcasting Commission.

Also to be affected, are the right of the state governments to make laws on the press even under a Federal system of Government, the freedom of the press to monitor government, the right of Nigerians to own, establish and operate a medium to impart information and ideas to those who are willing to receive them, the right of the media to go on the Internet and the right of the media to publish materials from all over the country, among others.

In fact, the indications are that Section 154(1)(q), which creates the NMMC, and Section 48 (1-4) of the First Part of the Third Schedule, which stipulates the composition and functions of the proposed body, found their way into the Draft Constitution in mysterious circumstances. The idea of the commission was not discussed at all during the entire

deliberations of the National Constitutional Conference, but was surreptitiously included in the report.

The fears expressed by informed Nigerians that the Draft Constitution was tampered with by the late General Abacha, with negative intentions was confirmed by a report in *This Day* newspaper of October 18, 1998. The report revealed amendments to the Draft Constitution by General Abacha which he, characteristically, kept a secret.

For example, while the Draft Constitution made provisions for the offices of the President and three Vice-Presidents, General Abacha amended it to read the President, Vice-President, Prime Minister and Deputy Prime Minister.

The Abacha version would also have empowered the late Head of State, who had a plan to transform himself into a civilian President, to “appoint any suitable persons, whether members of the National Assemblies or not” into such offices. Such appointments would have been confirmed by “a simple majority of the National Assemblies sitting together”.

There is no function assigned to the NMMC that is not already being performed by one statutory body or the other as well as other non-statutory organizations. These include the Nigeria Press Organization (NPO) and the Nigerian Broadcasting Commission (NBC), the Nigerian Press Council (NPC), and indeed, the Newspapers Registration Board. The question therefore arises as to the functions of these bodies if the proposed Mass Media Commission is empowered to coordinate activities of professional bodies within the mass media.

Such suspicious tinkering with a document of so much importance behind the scene, the controversial way he convoked the constitution drafting assembly in the first instance, the body’s preclusion from discussing a wide range of issues and the censorship which the Constitutional Conference suffered under the Abacha regime, all combine to make Nigerians suspicious of the intentions behind the Draft Constitution.

The NMMC is no more than is a nickname for a censor’s board. It is a contradiction of the very 1995 Draft Constitution which, in Section 40, guarantees freedom of expression and a violation of Article 19 of the Universal Declaration of Human Rights, guaranteeing freedom to receive and impart information and ideas without interference “through any media and regardless of frontiers.” It undermines the spirit of Article 9 the African Charter on Human Rights and Peoples’ Rights. Nigerian is a signatory to both the UDHR and the African Charter.

It is no wonder that all media organs, stakeholders and well-meaning watchers of the industry, up in arms against any attempt to retain these two Sections of the Draft Constitution more than any other part. The Advertisers Practitioners Council of Nigeria (APCON), Nigerian Institute of Public Relations (NIPR), the Nigeria Union of Journalists (NUJ), the Newspapers Proprietors Association of Nigeria (NPAN), and the NPO all criticized the provisions.

According to the NPO, those are “punitive provisions” for the journalists “which will only serve to protect and provide a shield, as it was, for public officers who wish to evade public scrutiny of their public and private conduct.”

NPAN on its part, described the Commission as “unnecessary, unjustified and obnoxious legislation with no redeeming feature.”

Even from the Bench, the imperative of press freedom and the need to constitutionally safeguard and guarantee it received backing. Justice Ignatius Pats-Acholonu of the Court of Appeal proposed a provision in the Draft Constitution that will not only guarantee freedom of the press, but outlaw proscription of mass media by any government.

The function of the Commission, as stated in section 46 (2) of the first part of the third schedule, amounts to a duplication of the functions of the NPC, the NBC, APCON, the NIPR, and the NUJ.

The stated functions include co-coordinating, promoting and regulating the existence of mass media, monitoring mass media in the dissemination of lawful information, coordinating the activities of all professional bodies of the mass media, protecting Nigerians against “intrusions and uncurtailed enquiries into the private life of any person without his consent,” and dealing with code of conduct of mass media practitioners, professional and ethical standard.

Although Section 46(4) of the First Part of the Third Schedule to the Draft Constitution imposes a responsibility on the Board of Directors of any public company to ensure the maintenance of balanced reporting and the promotion of national unity, it is doubtful that the board of directors of a public media company, which may be composed of part-time members and none journalists, can hardly determine “balanced reporting.” Besides, the law of libel and defamation is still in existence to take care of libelous publications.

In this regard, the Section can only be interpreted as calling on public media owners and managers to embark on self-censorship.

Section 46(3) prohibits the media, other than government or public-owned, from gathering and disseminating information outside the state they are based. This means that privately-owned radio and television stations and newspapers, such as Ray Power 100 FM radio, the African Independent Television (AIT), *The Guardian*, *Vanguard*, *The Punch* newspapers, as well as other such publications that are currently headquartered in Lagos, must not circulate outside Lagos State unless they become public companies.

The Section vitiates the right of, and the licences granted to, private organization to operate electronic mass media that essentially is to ensure competitive and more effective broadcasting and as well the freedoms granted in previous sections. It also makes nonsense of the specific provisions of Section 40(2) of the Draft Constitution which had earlier affirmed that “every person shall within the provisions of any Act of the National Assembly in that regard be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinions.”

According to Prince Tony Momoh, former minister of information, the provision for NMMC to look into the code of conduct for media practitioners is of dubious validity, and therefore, unwarranted. Any positive goal being sought to be achieved through it can be better attained by appropriately empowering the Nigeria Press Council established by Decree No. 35 of 1992.

Journalists at a public debate on the Draft Constitution in Lagos also added their voice to the opposition to the establishment of the NMMC. Mr. Ndu Ughamadu, Editor of *Daily Times*, who represented the more than 500 members of the Nigeria Guild of Editor (NGE) stated that the clause prohibiting the circulation of newspapers beyond the state it is headquartered, is intended to make private media ineffective, redundant and at the mercy of government. He also supported the strengthening of the NBC, NPC and ministries of information.

*Media Rights Monitor* the newsletter of Media Rights Agenda mounted a vigorous campaign against the NMMC in 1998. In an in-depth analysis of the proposed NMMC published in January 1999 as we prepared to go to press, the publication argued that:

“It is beyond argument that democracy thrives best in an environment of media pluralism. It is ironic therefore that a document which is supposed to be the basis of a constitutional democracy would seek to restrict media freedom and media pluralism in the manner which the provision relating to the National Mass Media Commission in the Draft Constitution has done.

“This veiled attempt to restrict the operation of the media, the bulk of which is privately owned, must be seen as an effort to restrict public access to information and to curtail the citizens’ right to the freedom to receive and impart information.

“In a society such as Nigeria where people have enjoyed the benefit of media pluralism for a long time, such an effort can lead to the elevation of rumour peddling to an art form and the appearance of more underground publications in the streets.

To restrict the flow of information is a violation of Article 19 of the Universal Declaration of Human Rights and the African Charter on Human and People’s Rights.

Nigeria subscribes to those provisions and those rights are also enshrined in Section 36 of the 1979 Nigerian Constitution and Section 40 of the 1995 Draft Constitution.

Every well-meaning Nigerian desirous of a prosperous, strong, united and indivisible country, must raise a voice against Sections 154(1)(q) and 46(1-4) of the First Part of the Third Schedule of the 1995 Draft Constitution.”



# CHAPTER FIVE

## ATTACKS ON THE PRESS IN 1998

### January

**1** Obi Chukwumba, deputy editor-in-chief of *African Concord* magazine, was arrested at the premises of Concord Press Nigeria Limited in Ikeja, Lagos on January 5, 1998.

He was arrested by operatives of the State Security Service (SSS) and was detained for several weeks at the agency's detention cell at its 15, Awolowo Road, Ikoyi, Lagos office.

Neither the SSS nor the government gave any reason for his arrest and detention nor could such be speculated since the magazine ceased publishing several months before.

**2.** Editors of the Ibadan-based weekly magazines, *Omega Weekly*, were forced into hiding following the siege on their office by armed security men which began on January 9.

The security men had a few days earlier first visited the Ibadan office of the magazine and demanded to see the Managing Director, Mr. Segun Olatunji; Dr. Adeolu Akande, Editor-in-chief, Mr. Wale Adebani, Managing Editor and Mr. Bode Opesitain, Executive-Editor. The security men tried to force their way in but the office was locked. The magazine's staff continued to be harassed by security men for several months until the death of General Abacha in June.

### February

**3** Security agents in Ibadan, Oyo State, on February 4 stormed the premises of the Ibadan based *Daily Sketch* newspaper, disrupting the production of the newspaper.

The security agents arrived the premises in two vehicles, claiming that they were investigating a story about a meeting of the five registered political parties which had resolved to adopt the Head of State, General Sani Abacha, as their consensus candidate for the August presidential elections.

Following resistance from the newspaper workers, the security agents sent for the Managing Director, Sola Oyegbemi, from his house. But they also could not secure Oyegbemi's cooperation.

The security agents then locked him up in his office for about four hours and later left with the already type-set copy of the story preventing the newspaper from publishing the story which was carried by other newspapers the next day.

**4** Two senior officers of the Ondo State Television Corporation (ODTV) were suspended from work indefinitely on February 20, a day after they were assaulted by soldiers attached to the State Military Administrator, Navy Commander Anthony Onyearugbulem.

The officers, Mrs. Danni Fagbayigbo, general manager of the station, and Mr. Tunde Yusuf, the director of finance and administration, were suspended on the orders of Onyearugbulem, who claimed that it was to facilitate a probe into the activities of the station.

Soldiers attached to Onyearugbulem, led by his driver, invaded the offices of the television station at Orita-Obele in Akure on February 19 and assaulted Yusuf, after which he was arrested.

The action was reportedly motivated by the non-payment of the monthly allowance of Aji Okpe, who was undergoing his National Youth Service Corp (NYSC) programme

primary assignment with the station. His allowance was said to have been withheld following his absence from work, a procedure which the Directorate of the NYSC itself employs and recommends to organizations hosting youth corps members.

On hearing of Yusuf's arrest, Fagbayigbo went to Government House, the Administrator's office, in a bid to secure his release. However, on getting there, she too was assaulted by Onyearugbulem's driver.

Both officers were suspended from work the next day.

Following public outcry about the incident, Onyearugbulem announced that he had set up a five-member panel to probe the incident and that the suspension of the officers was to enable the panel carry out its task without hindrance. He said later that the panel would also investigate all the activities of the television station, including its finances, since the beginning of Fagbayigbo's tenure.

However, the panel headed by an army lieutenant and dominated by soldiers was widely criticized as intended to ensure a cover-up of the incident, especially since it was to sit at the 323 Air Defence Artillery, a military base, which would not encourage persons to come forward and testify freely.

Following the series of events, the State Council of the Nigeria Union of Journalists (NUJ) issued a statement signed by its Chairman, Dayo Fadahunsi, and Secretary, Rotimi Ajayi, condemning the assault on officers of the station.

But on the night of Sunday, February 22, soldiers from the Administrator's office again raided the station's offices in search of the text of the NUJ's statement.

Reports said when the soldiers arrived, they met the doors to the offices of the Director of News and Current Affairs as well as the doors to the office of his deputy locked. Unable to find the keys to the offices, they broke down the doors using their boots and gun butts.

They, thereafter, ransacked the offices, taking away in the process several documents and the texts of news bulletins presented in the news programmes of the previous Friday and Saturday. Fagbayigbo and Yusuf were recalled to work.

**5** Security agents at the Murtala Muhammed International Airport in Ikeja, Lagos, on February 22, disrupted a trip by Nigeria Union of Journalists (NUJ) President, Lanre Ogundipe, and the NUJ Lagos State Council Chairman, Lanre Arogundade, to the West African Journalists Association (WAJA) regional conference in Dakar, Senegal.

Ogundipe and Arogundade, who were billed to address the conference on "The Media and Democracy in West Africa" scheduled for February 23 to 26, were at the airport to board their flight to Dakar when agents of the State Security Service (SSS) seized their passports, conference papers and other documents.

They were delayed at the airport for hours as the security agents tried to contact their superiors on whether the journalists should be allowed to travel. Although the passports were released to them hours later, the security agents held on to their other documents.

The two journalists were then made to fill out security forms in which they were required to state the purpose of their trip, the names and addresses of the persons they would be contacting at their destination as well as their addresses in Nigeria and Senegal.

As a result of the delays, Ogundipe and Arogundade missed their scheduled flight to Dakar and had to reschedule their travel plans. They finally arrived Dakar two days behind schedule, missing a substantial part of the conference.

**6** Mr. Tunde Oladepo, 34, a senior correspondent at *The Guardian* newspaper and former Chairman of the Ogun State Council of the Nigeria Union of Journalists (NUJ), was shot and killed on February 26, at about 4 a.m. at his home in Abeokuta by several masked and armed

men, in the presence of his wife, Sola, and his two daughters, Femi (aged three years), and Bolaji (who is eight months old) while visiting his family.

The gunmen broke into the house and burst into Oladepo's bedroom where they shot him. After shooting him, they stayed behind for about 35 minutes as he bled from the gunshot injury to make sure that he was actually dead.

They then left, taking with them a television set, a video recorder and some clothes.

Family sources said although Oladepo's younger brother, who was living in the house, attempted to take him to the hospital shortly after he was shot, the gunmen disallowed him from doing so and forced him at gun point to lie on the ground face down.

The gunmen reportedly told him that: "We have killed your brother already, don't bother yourself." Oladepo's house was the only one in the area raided by the gunmen.

Oladepo, who was Head of Bureau at the Ogun State office of *The Guardian* until March 1997 when he was recalled to the head office in Lagos, had been attacked by two gunmen on July 12, 1996, while returning in his car to Abeokuta from Ayetoro in Ondo State.

Although he survived that attack, he sustained serious injuries and lost three of his teeth. The car was subsequently stolen late 1997 at Somolu, in Lagos, where it was parked.

## March

7 Heavily armed anti-riot policemen smashed news cameras, assaulted several journalists and briefly detained them on March 3 while the journalists were covering a pro-democracy rally in Lagos which the security agents sought to forcefully prevent.

The rally, organised by the United Action for Democracy (UAD), a coalition of 26 human rights and pro-democracy organizations in Nigeria including Media Rights Agenda, was intended to counter another one being held in Abuja on the same day by organizations asking the late Head of State, General Sani Abacha, to remain in power after October 1, 1998, as a civilian president.

The UAD rally was scheduled for 3.00 p.m. at the Yaba Bus Stop in Lagos. But as early as 6.00 a.m., anti-riot policemen had taken over the Yaba bus stop area.

At about 11.00 a.m., when journalists began arriving at the venue of the proposed rally to monitor preparations, the policemen deployed by the government to prevent the rally, chased and attacked them, arresting at least 15 journalists and assaulting several of them in the process.

Among those arrested were the Political Editor of *This Day* newspaper, Yusuph Olaniyonu, and two of his colleagues in the newspaper, Robert Kajo and Chukwudi Nwabuko; the entire crew of the African Independent Television (AIT), including Yewande Oluchi and Mustapha Isa; a reporter with the *Post Express* newspaper, Basse Udo; Sunday Ode of the *New Nigerian* newspaper; Emmanuel Ogunyale, a photographer with the *Nigerian Tribune*; and Kola Oshiyemi, also a photographer with the News Agency of Nigeria (NAN).

The policemen, who arrested the journalists, were led by Mr. S.D. Akinyemi, an assistant superintendent of police (ASP). They took the journalists to the Ojuelegba Police Station in Surulere, Lagos escorted by members of the Lagos State anti-robbery squad, *Operation Sweep*. The journalists were taken in a police jeep with registration number PR 5757 LA while the AIT crew were taken in their Peugeot 504 Station wagon car.

The journalists were detained for about one hour until they were released on the orders of a Chief Superintendent of Police (CSP), Mr. P.I. Leha, Commander of Area 'C' of the Lagos State Police Command, who apologized for the embarrassment, but warned them not to support the demonstrators.

Monday Emoni, the photo editor of *The News* magazine was beaten up and his camera smashed. The policemen also seized a television camera belonging to Degue Broadcasting

Network (DBN) Television. But other journalists present protested until the camera was released.

Kola Oshiyemi said although he ran away when the policemen began chasing journalists, five policemen overtook him and pounced on him. They beat him up and tore his clothes.

According to him, “they ordered me to sit down at the bus stop and threatened to drag me to their boss.”

Oshiyemi said he was later ordered, along with a number of other people arrested, to leave the venue “with immediate effect.”

**8.** Mr. Sam Akpe, the features editor of the Akwa Ibom State government owned weekly newspaper, *The Weekend Pioneer*, was March 9, suspended from work indefinitely without pay on the orders of the then Military Administrator of the state, Navy Captain Joseph Adeusi.

His suspension was allegedly for using the government owned newspaper to attack the government. He had written a features story in reaction to an advertorial on a local issues arising from oil spill from the operations of Mobil Producing Nigeria Unlimited doing business in Akwa Ibom State.

According to Mr Akpe, the authority to write the article was invested on him by the Editorial Board of the paper after an exhaustive Board Conference on it. It was “pretty much a routine of my schedule”, he said.

However, on April 1, at a press conference where he addressed journalists on matters of the state, Navy Captain Adeusi claimed that Akpe was suspended because he had used government newspaper to attack the government. But asked by reporters to explain how a story that made no reference to government directly or indirectly became an attack on the same government, the Military administrator, apparently for lack of a credible explanation, added that Akpe wrote the offending article in return for a N50,000 pay-off from the public relations manager of the oil company, Mr. Isong Akpabio, who was attacked in the advertorial.

However, Akpe petitioned the Chief of General Staff, Vice Admiral Mike Akhigbe, in July asking him to intervene in the matter to clear his name.

Akpe denied both charges in his petition, saying he rejected the accusation of attacking the government in the article in question as totally unfounded. He enclosed copies of both the article and advertorial to which the article responded in his letter to the Chief of General Staff.

Describing the charge of bribe-taking as “equally hollow and unprovable”, he said it was “a failed attempt to justify the persecution of an innocent reporter who did no more than carry out his lawful duty”.

Akpe stressed that the allegation was a facade to cover up what was a routine display of authoritarianism by the administrator, adding that it was untrue.

He said: “I never met the Mobil official that the Military administrator cited in his allegation before writing the article. I am equally sure the Mobil official does not even know I exist. And he has said so publicly”.

The government has yet to look into the case.

**9.** The publisher and editor-in-chief of *The Rising Sun* newspaper, Joshua Ogbonna, was arrested by security agents in Lagos on March 9 for undisclosed reasons.

According to a statement by Premier House Communications Limited, the publishing company of the newspaper, Ogbonna was arrested at about 2.00 p.m. at the Apapa, Lagos office of the newspaper.

David Maduako, a journalist with the newspaper who issued the statement, said Ogbonna was arrested by two policemen from the Criminal Investigation Department (CID) at Alagbon Close in Ikoyi, Lagos, who gave their names as Inspector S. Popoola and Inspector U.P. Abah.

Mr. Ogbonna had earlier complained of living in constant fear of intimidation, harassment and imprisonment for publishing his newspaper.

The policemen did not give any reason for Ogbonna's arrest, although they said they were sent to pick him up by a deputy superintendent of police.

The arrest is, however, believed to have been over a series of articles and stories published by the newspaper about Chief M.O. Kanu, an Abuja-based hotelier and father of Daniel Kanu who was Chairman of the pro-Abacha organisation, Youths Earnestly Ask for Abacha (YEAA), which was campaigning for the Head of State, General Sani Abacha, to transform into a civilian president after October 1, 1998.

The articles touched on Kanu's activities and lifestyle.

Maduako claimed that the newspaper has been having a running battle with Chief Kanu whom, he alleged, had previously used security agents to harass Ogbonna.

**10** Abdul Rahma Maliki, a journalist with Kwara State Television, was assaulted by policemen from the State Police Command in Ilorin, the state capital, on March 10.

Maliki who is the station's controller of news was in Ilorin to cover a demonstration by students of Kwara State Polytechnic. The students were protesting the scarcity of petrol in many parts of the country, including the state, which has crippled commercial activities and resulted in high cost of goods and transport fares.

The policemen were trying to stop the demonstration when they observed Maliki recording the event at a vantage position. They immediately pounced on him and beat him up without asking for his identity.

Even when he showed his identification card, the beating rather than abate, increased.

**11** The Labour Correspondent of Vanguard newspaper, Joe Ajaero, was arrested by security agents at about 2.00 a.m. on March 12 in his room at the Satellite Hotel in Ilorin, Kwara State, where he was attending a two-day seminar on the review of labour laws.

Ajaero was arrested with nine others made up of lawyers and trade unionists who were also attending the seminar.

They are the President of the Committee for the Defence of Human Rights, Mr. Femi Falana; Dele Peters of the Nigerian Institute of Advanced Legal Studies; veteran labour activists, Emmanuel Nwadiakor and William Omonua; and the General Secretary of the National Association of Nigerian Nurses and Midwives, Moses Ahuma Matu.

The others are Abdulmalik Momoh, Pat Tolani, Mrs Grace Ciroma, and Chris Uyot.

According to Ajaero, the previous night, he had gone to bed "ill and drowsy after taking my drugs. The security agents banged on my door for about 15 minutes. When they realized I would not open, they forced the door open. As soon as they broke the door, I got out of my bed. The stoutly build man approached me shouting 'shoot him, kill him'. They pointed guns at me simultaneously, they kicked and beat me."

Despite repeated enquiries, Ajaero was not told the reason for the invasion of his hotel room. He was bundled out of the room and taken to join the others. They were taken to the office of the State Security Service (SSS) at Ilorin.

At the office where they were all interrogated, when Ajaero identified himself, he was told by the security agents that “we have been looking for you since November.”

Ajaero said they were told that “whenever you are invited to any workshop, you have to look at the political undertone of such an invitation because the country is pregnant at least for the next six months. Nigeria is sitting on a keg of gun powder and might explode any time.”

They were fed with half-boiled beans and were not given any cutlery to eat with.

The detainees were later moved from the SSS office to the State Police Command for another round of interrogation which lasted until midnight. The 10 detainees, including a woman, were then put in a single room.

The next morning, Ajaero was taken along with other detainees back to the hotel where they retrieved their belongings before being moved back to the State Criminal Investigation Department.

On March 17, five days after their arrest, the 10 detainees were taken before a magistrate court in Ilorin and charged with unlawful assembly. The court however granted them bail and they regained their freedom later that day.

**12** The publisher and editor-in-chief of the *Prime Sunset* newspaper, Mr. John A. Edward, and the assistant editor, Ganiyu Adeoye, were arrested in Lagos on March 22 by State Security Service (SSS) agents for undisclosed reasons.

They were arrested at about 1:00 p.m. at the premises of a commercial printer, Satellite Press, in the outskirts of Ikeja, the Lagos State capital, where they were seeing to the printing of that day’s edition of the newspaper. The *Prime Sunset* is an evening daily newspaper.

The printing of the newspaper was in progress when the security agents suddenly stormed the premises and arrested the two men who were later taken to an unknown place.

They remained in custody without charge or trial for several weeks until their release.

**13.** The Lagos State branch of the Nigerian Union of Journalists (NUJ) alerted the public in March over alleged threat to lives of its executives. The council said in a statement signed on March 24, by the chairman, Mr. Lanre Arogundade and acting Assistant Secretary, Mr. Bolaji Adebisi stated that: “Recently, there has been the movement of some strange persons around the NUJ lighthouse, Victoria Island, as well as the Club House in Apata, Somolu”.

**14.** The Federal Radio Corporation of Nigeria (FRCN), in March, directed all its stations nationwide to black out any report related to the visit of the United States President, Mr. Bill Clinton, to Africa.

President Clinton began a 12-day, six -nation tour of Africa on March 23 during which he visited Ghana, Uganda, Rwanda, Botswana, South Africa and Senegal while Nigeria was left out of his itinerary.

FRCN’s Director of News and Programmes, Mr. Tajudeen Akanbi, reportedly issued a circular asking all stations to blackout news of the American President’s visit.

A similar directive is also believed to have been issued to the Voice of Nigeria (VON), which is the external broadcasting arm of the Federal Government.

The directives are believed to have been motivated by the fact that Nigeria was shunned by the U.S. President in the countries to be visited while various United States government officials and diplomats in Nigeria have frequently criticized the appalling human rights situation in Nigeria.

**15** The Imo State correspondent of the *National Concord* newspaper, Chidi Nkwopara, and a reporter with the *Statesman* newspaper, Douglas Njoku, were arrested by the police in Imo State on March 26 and detained without charge or trial.

Their arrest followed their visit to the Akri Oil Flow Station of the Agip Oil Company to investigate reports of an oil blow-out at its location in Oguta, Imo State.

The blow-out reportedly took place on March 6 ravaging over a thousand hectares of farmland and destroying cash crops worth millions of naira.

The two journalists who were detained at the Oguta Police Station were accused of espionage by the oil company.

Before they were moved to the police station, they were detained in the open under the scorching midday sun for over five hours.

They remained in detention for several days without charge or trial until their release.

**16** Osun State Military Administrator, Lieutenant-Colonel Anthony Obi, on March 26 proscribed two publications by rival factions of the state chapter of the National Union of Local Government Employees (NULGE). The banned publications are *NULGE News* and *The True NULGE News*.

A circular signed by the Secretary to the State Government, Mr. John Adelowokan, said the Administrator had ordered the immediate cessation of the production and circulation of the in-house publications in exercise of the powers under the Constitution (Suspension and Modification) Decree No. 107 of 1993.

**17** A senior staff writer and Kaduna Bureau Chief of *Tell* magazine, Danlami Nmodu, was arrested from his home at about 5.30 a.m. by seven State Security Service (SSS) agents in Kaduna on Friday March 27.

The operatives stormed his residence at about 5.30 a.m. and started banging on the door of his apartment. Nmodu who lives alone, at first thought the intruders were armed robbers. He opened the door after several minutes when it appeared that the intruders will pull down the door. The security operatives made the arrest and drove away with him in their Peugeot station-wagon to an unknown destination.

The security agents did not give any reason for Nmodu's arrest and he remained in detention without charge or trial for several days.

**18** The Akwa Ibom State Government in March suspended a journalist with the State broadcasting station following reports carried by the media organization.

The journalist, Roland Esin, who works with the broadcasting station, was suspended without pay for airing a commentary criticizing the delay in the payment of salaries of workers in the state caused by the government's computerization exercise.

**19.** The Rivers State Government in March sacked Mr. Morgan Omodu, the general manager of state-owned radio station, Radio Rivers, over a political report aired by the station.

Omodu was sacked on the orders of the state military administrator, Col. Musa Shehu, after the radio station carried a report that the United Nigeria Congress Party (UNCP) senatorial primaries had been canceled and that one of the aspirants, Dr. Ombo Isokariari, a former managing director of the National Fertilizer Company of Nigeria (NAFCON) had been disqualified.

The story was based on the content of a fax message reportedly received from the Abuja national secretariat of the UNCP.

The party's leadership had earlier issued a statement denying the radio report. But it was not clear why the government was interested in the matter.

**20** The Political Correspondent of *The Punch* newspaper, Akanimo Samson, alleged in March that he received a death threat from a national officer of one of the five registered political parties for his alleged hostile attitude towards the party.

Samson alleged that the politician threatened to "eliminate" him and that an "elimination order" was issued against him during one of the weekly political briefing sessions of the party at the politician's residence.

He claimed that he was labeled an enemy of the party who should be handled "appropriately".

Samson said he was afraid of the implications of handling a perceived enemy "appropriately" adding that he suspected that his life was in danger. His suspicion, he said, was further heightened by a previous experience he had sometimes in 1997 in the hands of persons he suspected to be agents of the politician.

According to him, thugs hired by the party had on that occasion assaulted him and two other journalists - Esther Oye, a political correspondent with *The Diet* newspaper, and Kunle Oderemi, another political correspondent with the *Daily Champion* newspaper, at the party's secretariat in the outskirts of Lagos.

Samson petitioned the Inspector-General of Police, Alhaji Ibrahim Coomasie, seeking protection for his life. There was no response from the police.

## **April**

**21** The Plateau State Correspondent of *The Diet* newspaper, Isaac Agbo, was assaulted and subjected to physical drills by security officials in Jos, the state capital, on April 6. The security officers were attached to the Special Military Tribunal (SMT) which tried 26 military officers and civilians accused of involvement in an alleged coup plot reportedly uncovered by the Government on December 21, last year.

The security personnel were angered that Agbo drove on the same road used by the vehicles conveying the coup suspects to the tribunal.

He was later charged with speeding.

**22** The Commanding Officer of the 323 Air Artillery Brigade of the Nigerian Army, Lt. Colonel T.E. Dong, on April 11 assaulted some journalists covering a reception held at Ipoti-Ekiti, Ekiti State, in honour of the Bayelsa State administrator, Navy Captain Omoniyi Caleb Olubolade, and the launching of a N250 million Development Appeal Fund.

While the ceremony was going on, Colonel Dong left his seat to the place where journalists covering the event stood and slapped the Chief Press Secretary to the Ekiti State Administrator, Mr. Biodun Akin-Fasae, accusing him of being unable to control reporters whom he claimed were obstructing the view of dignitaries.

As the Chairman of the Ekiti State Council of the Nigeria Union of Journalists (NUJ), Adelani Baderinwa, rushed to intervene, Colonel Dong also slapped him several times.

Colonel Dong was later joined by men from his brigade and for about 10 minutes, they subjected Baderinwa and five other journalists to severe beatings with horsewhips. Three of them were later hospitalized for treatment of the injuries they sustained as a result of the beating.



Colonel Dong, a member of the Ondo State Executive Council, was chairman of the probe panel set up by the State Government to investigate a similar assault on the General Manager of the Ondo State Television, Mrs. Dunning Fagbayigbo in February, 1998.

**23.** The Federal Government admitted publicly for the first time on April 14, that it was holding the Managing Director of *Tell* magazine, Mr. Onome Osifo-Whiskey, at Kuje Prisons in the Federal Capital Territory, Abuja.

Mr. Osifo-Whiskey was abducted on an Ikeja street on his way to the Church on November 9, 1997, by security operatives. Government said Mr. Osifo-Whiskey being held for what it called “an act prejudicial to state security.”

This was after several denials by government that the journalist was in its custody.

**24** Four journalists working for three different newspapers were assaulted by policemen in Ibadan, Oyo State, on April 15 while covering a rally organised by campaigners for the transformation of General Sani Abacha into a civilian president after October 1.

The journalists are Ademola Adeyemo of *This Day* newspaper; Dan Ukana, also of *This Day*; Wale Ogundoyin of the *Omega Weekly*; and Sanya Adejokun of the *Nigerian Tribune*.

They were severely beaten with horsewhips by anti-riot policemen at the Ibadan rally which turned violent as pro-democracy demonstrators and the pro-Abacha campaigners clashed. Reports said Adeyemo narrowly missed being shot.

The journalists were whipped as they attempted to cover the clashes.

A television crew from the Murhi International Television (MiTV) in Lagos were also attacked by policemen as they tried to capture the scene of burning vehicles and bonfires on camera.

Other journalists at the scene managed to escape the assault by running away. But for about one hour, policemen continued to fire teargas canisters at the house into which the reporters ran for safety.

The pro-Abacha rally was organised by some Ibadan-based politicians. They were, however, opposed by the pro-democracy activists.

The policemen sent to the scene sparked off the violence when they forcefully tried to prevent the pro-democracy activists from carrying out their rally and in the process shot three persons dead.

**25** Pro-democracy activists at Ibadan, Oyo State capital on April 15, burnt down the premises of Monitor newspaper owned by an Ibadan-based politician, Alhaji Aresekola Alao.

The activists were angered by the publisher activities in the promotion of the late Head of State, General Abacha’s bid to transform into a civilian president.

After attempting to disrupt a rally organised by the publisher and other politicians in their campaign for the late head of state and upon meeting with resistance from security operatives who shot, wounded and killed some of the pro-democracy activists, the activists turned their anger on the newspaper. They set it on fire. In the process, the newspaper lost its premises, news print, 11 vehicles and other valuables in the fire.

**26** Two senior journalists with the television wing of the government-owned Osun State Broadcasting Corporation (OSBC) were suspended indefinitely on April 15 for broadcasting a story which the stations managers considered offensive.

The journalists were Kayode Adedire, Director of News and Current Affairs, and Femi Adefila, a principal reporter.

They were suspended for airing an interview with the Chairman of the state chapter of the Nigerian Labour Congress, Mr. Ade Ajayi, on the industrial dispute between workers in the state and the government over the workers demand for the removal of the Acting Chairman of the State Petroleum Task Force, Major Jude Egbudon.

The workers were demanding the removal of Egbudon for allegedly assaulting Mr. Moses Badejo, the secretary to the task force who is also an official of the NLC.

**27** At about 2.30 p.m. on April 20, more than 40 armed security agents made up of policemen and State Security Service (SSS) operatives raided the administrative offices of the Independent Communications Network Limited (ICNL), publishers of *The News* and *Tempo* magazine and the evening newspaper, *P.M. News*.

Led by Alhaji Hassan Zakari Biu, an Assistant Commissioner of Police (ACP), the security operatives sealed off the premises for about three hours, holding all the administrative staff there hostage, before arresting the accountant, Mr. Mufutau Lateef, whom they took away.

They then proceeded to the editorial offices of the magazines at the nearby Ijaiye Road, where they carried out an extensive search of the premises for about five hours, video-taping all the offices.

The security men came with a list of senior editorial workers at the company whom they wanted to arrest. The list included the editors of *The News* and *Tempo*; the exiled Managing Director of ICNL, Mr. Bayo Onanuga; and the company's General Manager, Mr. Idowu Obasa.

As none of those being sought were in the office, the security agents lined up all the workers they could find at the premises and asked them to identify themselves, before asking others to confirm their identities.

At the end of the exercise, the security agents arrested the Chief Librarian, Mr. Anthony Nwannah; a Special Project Executive, Mr. Yomi Osoba; a reporter/researcher with *Tempo* magazine, Mr. Austin Uganwa; and the Assistant Chief Security Officer Mr. Borisanmi Olutoye.

They also went away with documents and photographs of staff members, whom they interrogated while recording the exercise on video.

The security agents left the editorial offices of the magazine for the 24 Hours Printing Press where they halted the printing of that day's edition of *P.M. News*.

Those arrested were taken to the Federal Investigations and Intelligence Bureau (FIIB) at Alagbon Close in Ikoyi, Lagos.

Although no reason was given for the raid, it is believed that this attack was motivated by a story in that week's edition of *The News* magazine, entitled "EZEGO, why Abacha cannot try him."

**28.** On three occasions between 12.00 midnight and 4.00 p.m. on April 22, armed mobile policemen and plainclothes security agents from the SSS again carried out a series of raids on the premises of 24 Hours Printing Press.

During the first raid, SSS agents arrested Finance and Administrative Manager, Mr. Samson Adeyemi; the Press Manager, Mr. W. Odofin; and a security officer, Mr. Hassan Turaki. They were taken to the SSS Criminal Investigation offices at Alagbon Close.

The agents returned later that day and they took away 12 computers, two LaserJet printers and a scanner worth about N1 million.

The security agents, thereafter, stationed five anti-riot policemen at the premises of 24 Hours Printing Press to prevent the printing of *Tempo*.

The fresh arrests increased to 10 the number of journalists and other workers with the publishing company being detained by security agents.

Others previously detained include Babafemi Ojuda, the Managing Editor; Rafiu Salau, an administrative manager; and Tokunbo Fakeye, a defense correspondent.

**29.** At about 8.30 a.m. on April 23, a combined team of armed military policemen and SSS personnel sealed off the premises of ICNL publishing company and the 24 Hours printing press on Ijaiye Road, Ogba in Lagos.

Journalists and other workers were forced to leave both the editorial offices of the ICNL and the printing press.

No reason was given for the closure.

**30.** On April 28, Editor of *The Diet* newspaper, Mr. Niran Malaolu was sentenced to life imprisonment term for treason by the Major General Victor Malu Special Military Tribunal which tried some military officers and civilians on charges of attempted coup plot.

Malaolu was arrested by soldiers at his office on December 28, 1997 at about 10.40pm along with three other staffs of *The Diet* newspaper. While the others were released the next day, Malaolu was later to be arraigned along with military officers and some civilians alleged to have been involved in an attempted coup plot, before a special military tribunal established under the Treason and Other Offences (Special Military Tribunal) Decree No. 1 of 1986.

Specifically, Malaolu was arraigned with “concealment of treason”, a charge which was made public for the first time on April 28, when the president of the Tribunal, Major General Malu announced its verdicts. The evidence in support of the charge against him and his conviction remains mysterious as neither the tribunal nor the government was able to substantiate nor justify.

By that sentence, Malaolu became the fifth journalist in less than three years to have been sentenced by a military tribunal on coup charges.

Infact, several groups and individual believe that Malaolu was being punished by the military government over news stories published by his newspaper which called to question the logic of the alleged coup plot that the government earlier announced it has uncovered.

During the trial, Malaolu was denied the right to be defended by a lawyer of his choice nor was he given adequate time and facilities to prepare his defence.

Shortly after the verdict on Malaolu, several individuals and organisations protested the verdict. One of such groups, Media Rights Agenda (MRA), petitioned several international human rights bodies, predominantly United Nations Organs, asking them to intervene to overturn the conviction and life jail term impose on him.

The pressure forced the government to commute the sentence to fifteen years jail term.

**31.** The Head of the News Department of the national station of the Federal Radio Corporation of Nigeria (FRCN), Mr. Adelarín Oyetunde, was removed and re-deployed to the Corporate Affairs Department of the station in April for airing an interview with a presidential aspirant, Alhaji Mohammed Dikko Yusufu.

The interview, conducted by Chika Emerenwa, was aired in the middle of March by Lagos station of the Federal Government-owned radio station.

Shortly after the interview, Oyetunde was reportedly queried over why he permitted the interview to be aired on the station. He was later removed and redeployed through a letter

issued by the station's headquarters in Abuja and signed by the Director of News and Programmes, Mr. Tajudeen Akanbi. He was replaced by Wole Abioye.

Yusufu, a former Inspector-General of Police, declared his intention to vie for the presidency under the late General Abacha's regime transition to civil rule programme in the face of widespread reports of the ambition of the Head of State, General Sani Abacha, to succeed himself by transforming into a civilian president at the end of the transition programme.

Although politicians roundly disclaimed their interest in the presidency for fear of offending General Abacha, Yusufu was initially the only person to publicly proclaim his interest in the highest office under the platform of the Grassroots Democratic Movement (GDM). He was later joined by Dr. Tunji Braithwaite. He frequently maintained that he would defeat General Abacha in the proposed August 1998 presidential election and consistently criticized those campaigning for the late head of state to succeed himself.

Reports said another report, a paid commercial programme, to feature a profile of Yusufu, which was also being packaged by two other workers at the Lagos station, Priscilla Adesaren and George Chukwu, to be aired on the station, was stopped by its management, apparently on instructions from Abuja. The two broadcast journalists were asked to discontinue the programme.

The officer in charge of the Lagos National Station, Mr. Atilade Atoyebi, was also reportedly directed to ensure that any news report or programme concerning Yusufu should no longer be aired on the station.

## May

**32** The management of ICNL, issued a press release dated May 4 and signed by Mr. Obiora Nwosisi in which they reported incessant "acts of aggression that have recently been visited on our organisation by officers of FIIB, Alagbon Close, Ikoyi Lagos, presumably on the orders of Inspector – General of Police."

**33** Journalists in Ibadan, were compelled to live in fear following reported threats to their lives by some groups who vowed to eliminate them over the way they reported the May Day bloody protest in Ibadan.

Those allegedly penciled down for attack by the faceless group were all the media professionals in the major media houses in Ibadan.

The threat forced the State Chairman of the NUJ, Mr. Solodoye Adewole, to issue a statement on May 5, 1998, soliciting the assistance of the government and other security operatives to unmask those behind the plot.

**34** On May 6, security men from the State Security Services (SSS) arrested the editor of *Sunday Tribune*, Mr. Femi Adeoti, at Ibadan, the Oyo State capital and detained him in connection with the lead story in his paper titled: "Genesis of Ibadan Bloodbath". Adeoti was detained after honouring an invitation by SSS.

Also, Mr. Paul Ogundipe who authored the story had to go into hiding as the security operatives mounted an intensive search for him

## June

**35** Journalists detailed to cover the protest rally to mark the fifth anniversary of the annulment of June 12, 1993, presidential elections presumably won by late Bahorun M. K. O Abiola, were harassed and assaulted by security operatives.

The protest rally organised by an amalgam of pro-democracy groups, was scheduled to take place at the popular Yaba Bus Stop in Lagos. Mr. Johnson Ayantunji, Staff writer of the *Tell* magazine, narrates the events and their experience in the hands of security operatives;

“An indication that all would not go well on Friday June 12 began to emerge shortly after I got to Yaba bus stop and could not locate any journalist. While I was trying to figure out what to do, I saw a reporter from *The Guardian* newspapers at the Presbyterian Church end of the park. Soon, another journalists from *The Post Express* joined us.

As we were discussing what to do, another reporter whose identity I cannot remember, also joined us. The four of us walked down to the exit that leads into Murtala Muhammed Way.

“After a while, we all summed-up courage and went to meet a police officer at the centre of the park. He appeared to be the leader of the anti-riot squad posted to the park of forestall any form of demonstration.

“We introduced ourselves and asked him to provide a kind of security zone for us from where we could monitor the proceedings. He objected and said he could not guarantee our safety. We left him and approached another detachment of security operatives who were in mufti. They also turned down our request.

“We reminded them that journalists were availed this service during the 5 million man-match. They said. ‘No’.

“It was while this was going on that Gani Fawehinmi, radical lawyer and human rights activist, with a group of placard-carrying demonstrators arrived. The police drove them back to shooting tear gas canisters at everyone there. Everyone scampered to safety.”

In the process, some of the journalists were attacked.

## July

**37** On July 7, Chief Moshood Abiola, publisher of the Concord Group of Newspapers, and a distinguished supporter of media causes in Nigeria, died.

He died in detention where he had been for four years for declaring himself the President of the Federal Republic of Nigeria in what became known as the *Epetedo* Declaration.

Abiola, who won the June 12, 1993. Presidential election which was voided by the regime of General Babangida, had following series of unsuccessful efforts to get the military revalidate the election, declared himself the President of the Federal Republic of Nigeria and Commander-in-Chief of the Armed Forces.

He was immediately arrested by security operatives of the military government.

Pressures mounted on late Gen. Abacha by Nigerians and the International Community to secure the freedom of Chief Abiola did not yield positive result as the regime rebuffed or treated emissaries with disdain and gave impossible conditions for his release.

For four years, Chief Abiola pined away in detention where he was kept incommunicado under tight security and inhuman conditions.

To break his spirit, the government made the business climate inclement for Abiola's businesses. For example, late Gen. Abacha revoked the oil prospecting licence that the previous government of General Babangida gave Summit Oil, one of Chief Abiola's companies.

Most dastardly, his wife, Alhaja Kudirat Abiola, who had relentlessly campaigned for the release of her husband and the ultimate termination of military rule in Nigeria was assassinated on a Lagos Street by persons suspected to be State agents.

Though autopsy results attributed Chief Abiola's death to natural causes, indications are that his death may have been hastened by the inhuman treatment meted on him by his jailers.

**37.** On July 29, the Anambra State Correspondent of *The Punch* newspaper, Mr. Ofonime Umanah, was arrested by the police in the state. He was picked up at *The Punch* office in Onitsha at about 8.30 a.m. by three policemen who claimed they were from the Central Police Station (CPS) in Onitsha, Anambra State.

His arrest was believed, to be over a story on police extortion. He was, however, released after spending two days in detention.

In another development, the State Police Command threatened to "deal ruthlessly" with Mr. Umanah two months later over a story on the death of a detainee in custody.

It was learnt that Umanah had visited the Central Police Station, Awka, several times in an attempt to confirm the story before publication.

When he failed to meet the police authorities, he spoke with a senior police officer on phone. The voice on phone told him to report at the police station, while urging him to stay action on the investigations.

Two days after, two policemen were said to have gone to the state secretariat of the NUJ, Awka, to look for Umanah, who incidentally did not attend that day's congress meeting of the union.

When Umanah eventually reported at Awka, the police officer who interrogated him brought out a copy of an earlier report titled: "Another Otokoto saga in Onitsha", and warned him to desist from what he called "radical journalism".

He also threatened that should any publication be made on the alleged death in detention, Umanah should be ready to suffer the consequence.

**38.** Gabriel Orok, a reporter with *P. M. News* and a photo-journalist with the newspaper were variously arrested and detained by the police in Lagos in July.

While the reasons for the arrest of Orok was not given by the police, the photo-journalist's arrest and detention was not unconnected with a disagreement he had with his influential landlady. He was detained at Mushin Police Station and later released without any charge being brought against him.

## **August**

**39.** Security men at the Government House in Owerri, Imo State, assaulted two journalists on August 5, for covering a protest march by pensioners over the non-payment of their monthly stipends.

The pensioners, estimated at about 2,000, stormed the state secretariat as members of the Imo State Civil Service Commission were being sworn-in early in the morning and vowed to disrupt the proceedings if their demands were not met.

As the state police commissioner, Mr. Shehu Mohammed, came out shortly afterwards and started addressing the crowd, the leader of the security men at the Government House, Lieutenant Kefas, confronted the *Vanguard* Correspondent, Sam Onwuemodo, and asked him why he was taking notes. When the journalist identified himself, Kefas slapped him and ordered him to leave the premises immediately.

Other journalists present, including the pensioners, protested the action of the military officer.

Rather than relent, another soldier punched the *National Concord* newspaper reporter, Chidi Nkwopara.

It was only after the Chief Press Secretary to the State Military Administrator, Mr. Bright Nwelue, and the Commissioner for Information, Mr. Sylvester Alakwe, came and intervened that the soldiers stopped beating the two journalists.

Nwelue later apologized to the journalists, saying “it is a pity I was not present when the ugly incident happened. But I promise to take it up. I’m very, very sorry.”

No apology or compensation ever came.

**40.** On August 12, four staffers of Galaxy Television including two reporters, Dotun Seseyi, Bukola Oyijobi; a camera-man, Lekan Osuolale; and a driver, had a raw deal in the hands of officers of *Operation Gbale*, Oyo State security outfit.

They were beaten up because their car developed a fault in the middle of the road.

They were trying to find out what had gone wrong with the car when a police Inspector, Jeremiah Adejoh, of the security outfit pounced on them. He rained blows on them and later took them away to their operational head quarters.

At their headquarters, between 15 and 20 policemen descended on the journalists. The Galaxy crew members were inhumanly beating them with horsewhips.

**41.** On August 19, the police speaking through the chairman of the Task force on Terrorist Activities, Alhaji Hassan Zakari Biu, linked the disappearance of the Kaduna State Senior Correspondent of *The News / Tempo* magazines, Mr. James Bagauda Kaltho, to the bomb blast that rocked the Dubar Hotel, Kaduna on January 18, 1996, alleging that he died in the blast while trying to place the explosive device.

Biu also showed journalists a video tape of an interview with General Muhammadu Buhari which was aired by the Bauchi Television Authority in 1994, saying that the tape was found at the scene of the blast. The interview he added, was published in *The News* in its issue of September 4, 1995 – five months before the explosion.

Biu also alleged that the management of the Independent Communications Network Limited (ICNL), publisher of the news, may have been connected with the Dubar Hotel bombing and that the Task Force was continuing its investigation into the Company’s possible involvement.

Upon disappearing in 1996, Mr. Kaltho was believed to have been abducted by State Security agents who had been on his trail earlier over stories he wrote in connection with the alleged coup plot of March 1995 over which four other journalists, including the editor of *The News*, Kunle Ajibade, were detained, subsequently tried and imprisoned for 15 years each.

In a swift reaction the management of ICNL debunked the allegations pointing out why it took the police two and half years to establish this link. It also questioned how the police managed to identify the corpse as that of Bagauda Kaltho after the then acting Police Commissioner of Kaduna State was quoted in *The Guardian* of January 24 1996, as saying “what we know so far as we in this command are concerned is that the management, of Dubar could not identify the person. If anybody tells you this is the name of the person that person must be a liar”

The management of ICNL urged the head of state to order the immediate production of the body for forensic and DNA tests to enable Nigerians, local and international journalists get to the root of the another.

Meanwhile, the management of ICNL on October 5, at the Federal High Court, Lagos, instituted a N100 million damage suit against ACP Biu for an alleged libel contained in the press statement of August 18.

In the suit filed by Mr. Ebun-Olu Onagoruwa of the Gani Fawehinmi Chambers, the organisation also sought a perpetual injunction restraining further writing, circulation or distribution of the said libellous statement.

**42.** Ganiyu Salman, a reporter with *Sporting Tribune* newspaper, was assaulted on August 22, by a staff member of the Shooting Stars Sports Club (3SC) football club during a pro-league match between the club and another club, the Kano Pillars, played at Lekan Salami Stadium in Ibadan.

The journalist was beaten by the staff over a story titled: “Baraje Unveils N4m Juju Deal at 3SC”, which was published in the *Sporting Tribune*.

The staff member further threatened a total showdown with the reporter if any of the *Nigerian Tribune* titles should publish any negative story on the club.

**43.** A journalist and publisher of an Enugu-based quarterly magazine, *News Service*, Mr. Okezie Amarube, was shot in the head and killed by a policeman of the Enugu State police command on August 28.

The shooting reportedly took place at about 3.00 p. m, although Amarube died two and half-hours later, after he was taken to the University of Nigeria Teaching Hospital (UNTH) in Enugu.

Amarube, 34, had gone to check a job being done for him by a printer on College Road, off Edinburgh Road, in Enugu. The publisher stumbled on armed policemen who had come to the printer’s workshop to arrest him (the printer).

The police could not find the printer and decided to arrest one of his workers. They forced one of the workers, a young boy, into their station wagon car, which bore the inscription “*Operation Vigilance 03*” and were about to take him away when Amarube came.

Reports said the police immediately accosted Amarube, claiming that he was the printer they came to arrest on the orders of their boss, following a complaint lodged against him by a female customer to the printer who alleged that he defaulted on a printing job she had given to him.

Without giving Amarube an opportunity to identify himself, the police pounced on him and one of the policemen shoved the muzzle of his gun on Amarube’s forehead and later hit him on the head with the pistol while shouting; “Move! Move!”

When they reached the vehicle in which they came, the policeman who had his hand on the butt of the pistol, hit Amarube again with the end and it fired. The bullet went through Amarube’s head and he fell down on the street.

A journalist who was present at the scene of the incident immediately contacted the Police Public Relations Officer Mr. Ferdinand Okafor, (DSP), who then alerted the Ogui Police Division.

One and a half-hour after the incident had occurred, a team of police detectives arrived in a station wagon car bearing the registration number NPF 3018 EN. A catholic priest was already administering the last sacrament to the publisher, who was apparently dying. After the prayers, the police dragged the body of the journalist into their patrol car and sped off.

Amarube died later at the UNTH, where he was taken.

A police spokesman confirmed that the policeman who shot Amarube had been arrested and was being held at Ogui Road police station.

However, Amarube’s father, Chief Alexander Amarube, alleged the next day that his son was killed for his forthrightness in pursuing his journalistic career.



**44** By August 1998, the federal government was owing media houses and journalists over N28 million, being judgments debts over illegal closure of newspaper houses and detention of journalists, according to the Chairman the Centre for Free Speech, Richard Akinnola.

## September

**45.** Mr. Sola Oluwatuyi, the General Manager of Ondo State Radio, a station owned by the Ondo State Government, and other journalists working at the station were questioned by security agents on September 11 over a political advertisement broadcast on the station.

Oluwatuyi was invited by security agents over the advertisement while the States television station's director, the announcer who broadcast the advertisement and an unidentified worker of the radio station were also interrogated.

Oluwatuyi was asked to explain how the tape of the advertisement, believed to have been placed by the pan-Yoruba group, *Afenifere*, reached the studio and the person who paid for it.

In the advertisement, which was broadcast for two days, *Afenifere* alleged that some persons, whose names it mentioned, were planning to mortgage the future of the Yoruba race by conceding some key positions in the new political arrangement to politicians from other parts of the country to the detriment of the Yorubas.

*Afenifere* called on "all illustrious sons of Yoruba to rise and be prepared to defend their rights no matter the cost."

**46.** Three journalists, Durosinmi Meseko, Deputy News Editor; Benneth Oghifo, Property Correspondent and Alex Ugwuka Production Assistant, of the *ThisDay* newspaper were arrested September 23 by men of a Special Anti-Robbery Squad at a restaurant in Ikeja (near *ThisDay* office premises) in Lagos.

The journalists, along with others at a restaurants, were bundled into waiting vehicles and taken to the Army Operational base in Government Reservation Area, Ikeja, even after proper identification by the journalists.

They were released the next day, September 24. A police officer apologised to the journalists after their release. He explained that the police acted on a tip-off that the restaurant was being patronised by robbers.

**47.** On September 23, *The Sketch* newspaper after an epidemic performance for much of the year finally went off the newsstand for reasons attributed to dwindling fortunes occasioned by the huge debt owned it by the governments of the owner states and loss of readership due to the censorship it suffer from its owners.

It was, however, back on the news stand about six weeks later in October.

The newspaper which came on the news stand in 1964, through the efforts of the then Western Region government, had seen its circulation figure reaching an all time high of 100,000 copies daily, built a multi-story corporate headquarters and bought a brand new Goss Urbanite printing press.

Its fortunes however dipped to the extent that its print-run fell to less than 5,000 copies daily over problems attributed to censorship and owners' use of the medium as a public relations outfit.

From 1991 till date, over N30 million has been made available as grant and another N10 million as loan. It was forced to go off the news stand in early October.

**48** Gabriel Orok, the crime reporter, for *PM News* newspaper was arrested September 26, 1998, by a team of policemen from Ikotun police post along with two security operatives from special Anti-Robbery Squad (SARS), Ikeja in Lagos.

He was taken to Area 'F', Lagos state police command, Ikeja where he was interrogated on a story published in the *PM News* of Friday September 25, 1998, captioned: "Ethnic Tension in the Police" which contained reactions by the police officers on a recent promotion, dismissal and retirement in the police force.

The State Security Service (SSS) operatives interrogating Orok claimed that the story was untrue and that no police officer made any comment on the issue. Orok maintained that he did speak with some police officers and, in particular, with the then Lagos State Police Commissioner Alhaji Abubakar Tsav.

The interrogators took the journalist before Alhaji Tsav who denied ever speaking with Orok. However, Orok played the recorded interview he had with Tsav on the issue. Embarrassed and helpless, the police boss ordered the release of the journalist on September 28 after three days in detention.

## **October**

**49.** On October 10, two officers of the Nigerian Union of Journalists (NUJ), Messrs Lanre Arogundade, Chairman, and Rex Iyobosa Uwugiaren, Chairman of the Press Freedom Committee of the NUJ, were arrested and detained by State Security Service (SSS) officials. Their arrest, over a purely internal matter among the Union officials, took place at the Union's Club House at Somolu. The journalists were detained at the Bariga Police Station.

It took the intervention of former Minister of Information, Prince Tony Momoh, to secure their release on bail.

**50.** Abacha for president campaigner, Dr Godwin Daboh Adzuana, on October 14, at Al-Hassan Hospital and Clinic, Abuja, assaulted two reporters, Messrs. Chuks Ohuegbe and Frank Adejoh-Audu of the Abuja Bureau of *The Punch* newspaper. The reporters had gone to keep a scheduled interview appointment with Daboh, who gained notoriety during the late Gen. Abacha regime for his no-hold barrel campaign for the transformation of the late General into a civilian president.

According to Mr. Ohuegbe, they had booked an interview appointment with Daboh to enable him throw more light on his involvement in the Abacha-for-president campaign which he, Daboh claiming repentance, had a few days earlier, at a church service, publicly apologized for and sought God's forgiveness.

After the interview which took place in Daboh's private ward, marked "Ward W2," the enthusiastic mobilizer the project called "Abacha '98", who probably took offence at an off-record remark by one of the reporters, seized their tape recorders and assaulted them.

According to Ohuegbe, "at the end of the interview, which lasted over one hour, thirty minutes, I asked Dr. Daboh off-record, if he could substantiate his claim that certain persons in the past administration duped him, and if he did not short-change them while the campaign lasted.

"He laughed at the comment. After a few moments, he snatched my recorder from my hands and that of Mr. Audu, removed the cassettes, pocketed them and smashed the recorders against the wall. My colleague and I pleaded with him that if he took exception to the comment, we were sorry. Moreover, it was not on record.

“Our entreaties fell on deaf ears. Rather, he slapped me thrice. But I did not raise a finger against him, neither did Mr. Audu.

“Before we left his private room, we were only able to pick pieces of our smashed recorders”.

Dr Daboh still has the recorded cassettes.

## **November**

**51.** The Kaduna State correspondent of *The Punch* newspaper, Mr. Inuwa Bwala, was arrested November 3 by the police in Kaduna.

The arrest was reportedly ordered by the state police commissioner, Alhaji Habibu Yakubu, following a petition written to him by the secretary of the Nigeria Football Association (NFA), Alhaji Sani Toro, over a report published in *The Punch* newspaper about the conduct of officials of the association during the African Women Soccer Championship which took place in Kaduna.

Mr. Bwala who was arrested at the NUJ premises by the police over a purely civil matter, was also secretary of the State Chapter of the NUJ.

He was released the same day.

**52.** On Tuesday November 3, one-time Petroleum Resources Minister, Professor Tam David-West, instituted a libel suit against the Nigerian Tribune newspaper at an Ibadan High Court.

Prof. David-West sued the African Newspapers Limited, publishers of *Nigerian Tribune* along with its editor Mr. Biodun Oduwole claiming N250 million as damages for alleged defamatory publication.

The former minister in his statement of claim explained that the *Nigerian Tribune* of Monday September 2, 1996, in its editorial column made a publication titled: “Enough of David-West”.

The publication, according to him, injured his character and reputation in addition to bringing him into scandal, odium, ridicule and contempt.

The publication which Prof. David-West complained about is an x-ray of his days in government and the various controversies that trailed him.

According to his counsel, Mr. Bode Adenipekun, the publication portrayed the former minister as an unpatriotic, deplorable and dishonourable man bent on frustrating his successors in office.

But in a swift reaction, counsel to the respondents, Mr. Akin Ige, denied the allegation and insisted that the words complained about are no more than criticisms of the acts of Professor David-West as a public officer, adding that the language used was no less restrained.

Mr. Ige pointed out that the said publication was a fair one made in good faith and without malice on matter of public interest. He, therefore, urged the court to dismiss the claims.

**53.** Senior Assistant Editor of *TELL* magazine Mr. Osa Director, was on November 12 severely beaten by security agents from the Directorate of Military Intelligence (DMI) positioned at the C and C Towers in Victoria Island, Lagos.

Mr. Director, accompanied by Mr. Sylvester Odion-Akhaine, a joint secretary of the United Action for Democracy (UAD), was at the Tower, a building which houses the British Airways office in Lagos, to make some travel enquiries when five plain-clothed security

operatives accosted him and demanded that he should drop his bag containing some personal effects, including a camera, before entering the premises.

Mr. Director requested the security men to provide a written note or tag to indicate that he left his belongings behind. This request was met with violent rebuff from the DMI men. Mr. Director then offered to leave the premises while Mr. Odion-Aikhaine went into the building to make the enquiries.

As Mr. Director proceeded to leave the premises, the security men shouted at him to “go, go, move fast” They pounced on him when he did not hurry and gave him the beating of his life.

Recounting his experience later, Mr. Director said: “I was severely battered and assaulted by the five DMI officers. I sustained a deep cut on my left ear and a laceration on my lower lip”.

He was later taken to the Lagos General Hospital where his ear was stitched and he was treated for his other injuries.

After treatment, Mr. Director reported the matter at the Bar Beach Police Station, in Victoria Island where the Divisional Police Officer (DPO), Mr. L.F. Salami, a Superintendent of Police, instructed a team of four policemen led by Chu James Ochei, an Assistant Superintendent of Police to go to the British Airways office for an on-the-spot-assessment and interrogation of the DMI operatives.

The DMI agents refused to cooperate with the policemen, saying the policemen were embarking on a suicide mission by daring to come and question them. The policemen were also beaten.

According to Mr. Director, “the DMI soldiers decided to cease fire when a Lebanese who identified himself as a technician ordered the DMI operatives to stand at ease, sheepishly they obeyed”.

*TELL* magazine’s lawyer, Chief Gani Fawehinmi, later filed a N5 million suit against the DMI operatives on behalf of Mr. Director.

## **December**

**54.** The Anambra State Correspondent of *The National Concord* newspaper, Mr. Adolphous Uchenabo, was flogged and detained for about eight hour on December 16, at the Governor’s Lodge, Akwa.

The flogging and the detention reportedly affected by security aides attached to the state’s military administrator’s wife, Mrs Helen Ukaegbu, was over a story filed it by the correspondent.

The story captioned; “Snake Scares Administrator’s wife,” was published in the back page of the *National Concord* of Monday, November 30, 1998.

According to sources, soon after the publication a man-hunt was quickly organized for the correspondent until he was arrested on December 16, by a security aide to the administrator’s wife simply known as Mary. The correspondent who was on his way to an assignment was forced into a stand-by government vehicle which drove him to the government lodge.

At the lodge, he was reportedly stripped half-naked, whipped and slapped several times by both the woman security aide and other soldiers before being hounded into the guardroom.

While inside the guardroom, it was further reported, the security agents seized his NUJ Identity Card No. 000/384 and threatened to torture him if he fails to confess that he was the reporter.

In a press statement signed by the state secretary of NUJ, Mr Mike Atah, the union demanded an immediate and unreserved apology from the state government for the degrading treatment. The statement frowned at a situation where government officials constitute a clog to the effort the union is making in establishing good government-press relationship. It also expressed regret that the state government was carrying out such inhuman acts at this period when the Head of State Gen. Abubakar is trying to wipe out human rights abuses in the country.

The government has yet to issue the apology.

**55.** On December 16, State Security Operatives raided the office of *The Source* magazine.

They were looking for the original copies of a coup convict, Lt. Col Yakassi's confession notes which was published in the magazine's previous week edition.

They locked-up the office and only after the intervention of the chief of general staff.

Though, no arrest was made, they however, left with the plates of the edition of the magazine in question.

Media Rights Agenda (MRA) is an independent, non-governmental organisation established for the purpose of promoting and protecting press freedom and freedom of expression in Nigeria. The MRA is registered under Nigerian law and has Observer Status with the African Commission on Human and People's Rights. MRA's Aims and Objectives are:

- a. to promote respect and recognition for press freedom of expression in Nigeria;
- b. to provide protection and support for journalists and writers engaged in the lawful pursuit of their professional duties;
- c. to promote the highest standards of professional ethics, integrity, training and conduct in the journalism profession; and
- d. to bring about a conducive social and legal atmosphere for the practice of journalism, and ensure the protection of the journalist's right not to be compelled to work against his or her conviction or disclose confidential sources of information.

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