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LEDAP condemns execution of prisoners in Edo, seeks repeal of death penalty

By Joseph Onyekwere | 03 January 2017 | 3:01 am



National Coordinator of LEDAP, Chino Obiagwu

Legal Defence and Assistance Project (LEDAP) has condemned the killing on December 23, 2016 of three death row prisoners in Benin City prison.

As a result, LEDAP has called on the Nigerian government to stop all death penalty executions forthwith.

It urged the National Assembly and State Houses of Assembly to amend the Criminal Code and Penal Code as well as the Robbery and Firearms (Special Provisions) Act to remove death sentence as punishment for crimes and replace it with life imprisonment or term of years sentence.



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The prisoners were reportedly executed on account of death warrants signed by Edo State Governor, Mr. Godwin Obaseki.

Those executed were Ogbomoro Omoregie, Apostle Igene and Mark Omosowhota.

They were all convicted and sentenced to death nearly 20 years ago by military tribunals under the Robbery and Firearms (Special Provisions) Decree as amended, LEDAP said.

According to a statement by the National Coordinator of LEDAP, Chino Obiagwu, the executed prisoners had earlier petitioned the governor, protesting their proposed execution.

“In an earlier petition submitted to the Governor by the executed prisoners on December 21, 2016 through LEDAP, protesting the plan for their execution, the prisoners had pleaded with the Governor to shelve the planned execution because there is a pending case at the Court of Appeal brought by all death row prisoners in Nigeria against their execution. This appeal has not been decided and it was therefore, illegal to carry out the executions,” he said.

LEDAP, he said, is appalled that the earliest social duty of Governor Obaseki upon assumption of office was the execution of his citizen on death row. “We reiterate that all prisoners, including those sentenced to death, retain all the fundamental rights endowed on all citizens by the 1999 Constitution.

This was re-amphasized by the Court of Appeal in the case of Peter Nemi v Attorney General of Lagos State in 1994.

“The Supreme Court of Nigeria also held in Nasir Bello v Attorney-General of Oyo State that a prisoner cannot be legally executed while his case is pending in court. In so far as an appeal against the sentences of the death row prisoners in Nigeria are pending in court, to the knowledge of the prison authorities and the government who participated in the high court proceedings before the appeal, there is no legal justification for the Edo executions, moreso when it was carried out cruelly on a day to the eve of Christmas.”

The group frowned at the action based on the fact that Edo State government carried out the execution despite the declaration by Nigerian government at its 2009 and 2014 Universal Periodic Reports (UPR) to the United Nations Human Rights Council that Nigeria has put in place a moratorium on the use of the death penalty.

Obiagwu said the December 23, 2016 execution of these three prisoners, as well as the similar execution of four prisoners on June 21, 2013 by the same Edo State government have undermined Nigeria's declarations to the international community for death penalty moratorium.

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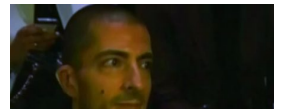
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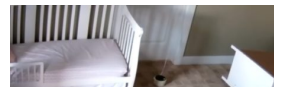
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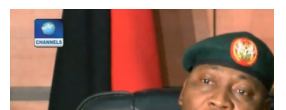
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