

109TH CONGRESS
1ST SESSION

S. RES. 303

Calling for the Government of Nigeria to conduct a thorough judicial review of the Ken Saro-Wiwa case, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 2005

Mr. LEAHY (for himself, Mr. KENNEDY, Mr. OBAMA, Mr. FEINGOLD, Mr. DODD, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Calling for the Government of Nigeria to conduct a thorough judicial review of the Ken Saro-Wiwa case, and for other purposes.

Whereas on November 10, 1995, Ken Saro-Wiwa, Nigerian writer, environmental activist, and nominee for the Nobel Peace Prize, along with 8 colleagues, together known as the “Ogoni 9”, were hanged by the military government of Nigeria, based on charges widely regarded as false;

Whereas the Ogoni 9 had been nonviolently campaigning for improved living standards and a clean environment for the Ogoni People, whose Niger Delta land, air, and water was, and remains, severely polluted from oil extraction, and whose standard of living, despite the great mineral

wealth their land has yielded since the early 1960s, is among the lowest in the world;

Whereas the international condemnation that followed the executions included the suspension of Nigeria from the British Commonwealth of Nations;

Whereas in 1996 a United Nations mission to Nigeria found the military tribunal in contravention of international and domestic law, and recommended financial relief for the survivors of the Ogoni 9 and improvements in the socio-economic conditions of the Ogoni and other minorities in the Delta;

Whereas 10 years later, none of the United Nations recommendations have been implemented, and the environmental and social situations have deteriorated for the Ogoni and other Delta communities;

Whereas the Ogoni 9 remain convicted of a crime of which they were unfairly tried;

Whereas Ogoniland remains severely polluted and gas flaring continues unabated;

Whereas the security and stability in the Niger Delta are threatened by a proliferation of small arms, armed gangs, and black market oil bunkering;

Whereas despite these pressures, Ogoniland remains an island of nonviolence, and the Ogoni voted in high numbers in the 1999 elections;

Whereas stability in the Niger Delta is necessary to prevent an increase in global oil costs; and

Whereas in the interest of the protection of human rights, justice, and stability in the Delta, redress should be given

to the Ogonis and their use of nonviolent means should be recognized: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) urges the Government of Nigeria to conduct
3 a thorough judicial review of the trial of the Ogoni
4 9 and to provide just compensation to the survivors
5 of the Ogoni 9 if a miscarriage of justice is found;

6 (2) urges the Government of Nigeria, inter-
7 national donors, and international oil companies op-
8 erating in the Delta to increase assistance signifi-
9 cantly to improve the lives of the Ogoni and other
10 affected communities and for pollution abatement
11 and cleanup in the Niger Delta region, in close con-
12 sultation with local communities;

13 (3) urges the Government of Nigeria to ensure
14 that all members of the security forces receive train-
15 ing in international standards on the use of force
16 and firearms, particularly the 1979 United Nations
17 Code of Conduct for Law Enforcement Officials and
18 the 1990 United Nations Basic Principles on the
19 Use of Force and Fire Arms by Law Enforcement
20 Officials;

21 (4) calls upon the Department of State to seek
22 urgently to ensure that American oil companies op-
23 erating in the Niger Delta comply, at a minimum,

1 with the Voluntary Principles for Security and
2 Human Rights; and

3 (5) urges the Secretary General of the United
4 Nations to institute a 10-year followup mission to
5 Ogoniland.

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