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March 10, 2012

Prosecutor, International Criminal Court
Po Box 195192500 CM, The Hague
The Netherlands

Urgent Request to Investigate Crimes against Humanity Committed against the people of Biafra by the Federal Government of Nigeria acting in concert with Boko Haram

Dear Mr. Luis Moreno Ocampo:

I am writing to you as the Legal Representative for the BIAFRA LIBERATION IN EXILE (BILIE) organization. I have the authorization of my client to send this petition to you to request that you use your good offices and position to investigate allegations of the unlawful and coordinated killing of Biafrans and perpetration of other crimes under international law against Biafrans.¹

Our intent is to prevent a second Holocaust in the 21st Century in which tribalism, nationalism, neocolonialism and religion combine to place at risk of death over 50 million people. If the ICC does not act, we fear a another Biafran genocide will eclipse the Holocaust of the Second World War as the single most evil event in modern world history.² Nigeria is the powder keg

¹ Biafra refers to the former territory of the sovereign state of Biafra and peoples from that region in southeast Nigeria. The Igbo number at least 50 million and are the dominate group from Biafra. Biafrans however live throughout Nigeria and are often targeted for violence or death when outside their home states.

² The first Biafran genocide (1965-1970) resulted in at least 2 million Biafran deaths, most from planned starvation, pogroms, riots and mass executions by the Nigerian government, the former colonial power Great Britain and their auxiliaries. BILIE is in



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of Africa, preemptive human rights action is required now to prevent tragedy of a scope unimagined in human history.

Nigeria is a state party to the Rome Statute of the International Criminal Court, and deposited its instrument of ratification on 27 September 2001. BILIE is an organization formed by Pro-Biafran groups that were registered in their respective countries which decided to come together to form a mother-organization known as BIAFRA LIBERATION IN EXILE or BILIE. The organization per se is registered in Europe and also registered as an NGO in the category of Indigenous Peoples Organization (IPO) under the United Nations. Its human rights arm known as BILIE HUMAN RIGHT INITIATIVE is registered in Nigeria.

The typical response of the Nigerian government to the type of crimes referenced herein is usually dealt with by setting up commissions of inquiry or internal investigations, but few of these commissions have ever published their reports, and even when they have, their recommendations have rarely been acted upon or led to prosecutions.

The Solicitor General of Nigeria, Alhaji Abdullahi Ahmed Yola, stated just this past December 2011 to the Tenth Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court that in regards to the continuing violence in Northern Nigeria:

“Facts and evidence uncovered in the course of investigations do not reflect that there is any threat of genocide, crimes against humanity or any other crimes committed, which may fall within the context of the Rome Statute Crimes.”

possession of firsthand accounts of the atrocities committed as part of its Genocide Project. The current government of Nigeria denies genocide occurs in contradiction to apolitical historical consensus. See: <http://necrometrics.com/20c1m.htm#Biafra>



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In other words Nigeria's Solicitor General conclusively dismissed any claims of war crimes, genocide or crimes against humanity on Nigerian soil as *a priori* impossible regardless of the facts.

The Nigeria government is publicly unwilling or unable to properly investigate and prosecute allegations of genocidal crimes under international law as the government of Nigeria has already made the peremptory finding that such crimes cannot occur in Nigeria regardless of the facts involved.

Further the President of Nigeria, Goodluck Jonathan, has made public admissions that Boko Haram has infiltrated his government. He ominously stated on January 8, 2012:

“Some of them [Boko Haram] are in the executive arm of government, some of them are in the parliamentary/legislative arm of government while some of them are even in the judiciary...Some are also in the armed forces, the police and other security agencies. Some continue to dip their hands and eat with you and you won't even know the person who will point a gun at you or plant a bomb behind your house.”

This situation amounts to a denial of the Biafran victims' access to a fair, effective and prompt system of justice. Particularly when the above statement comes from the Nigerian government's Solicitor General in response to ongoing investigations by the ICC Prosecutor's Office of allegations filed by Nigerian civil society groups and a spontaneous admission from the president that the police and judiciary are compromised.

The Nigerian Solicitor General however could not even bring himself to acknowledge the issues of mass murder in Nigeria by Boko Haram, stating only: “We however note recently that the Office of the ICC Prosecutor has shown concern over the state of **alleged** killings in Northern Nigeria.



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[Emphasis added]. The relatives of the victims of Boko Haram can find little comfort in the finding that their deaths are “alleged” rather than a fact.

We however are concerned that violence is far more insidious than simply a cycle of murder centered in Northern Nigeria in which Muslims aggressively slaughter Christians. In fact what is occurring is a continuation of the genocide of the Biafran people that has been ongoing since 1945 with the Jos anti Ibo riots and the 1953 Kano *pogrom*. If other victims are not from the southeast (Biafra), they are simply “collateral damage” in the eyes of the Nigerian government. It is no mistake that the same localities spawn murder of Igbos over and over again.

The Igbos who make up the majority of peoples in Biafra are sometimes equated in Nigeria with Jews, both figuratively and literally. Likewise their neighbors the Annag, Efik and Ibibio tribes are thought to actually be descended from Jews. The Igbo themselves are not members of the Jewish faith; they are overwhelmingly Christian, but it is also a fact that some of the traditional Igbo religious practices indicate a Jewish influence.³ For the fanatical Al Qaida influenced Boko Haram this is more than enough to justify the slaughter of Biafrans who in Boko Harma’s warped logic are not just infidel Christians but associated with “evil” Jews as well. The federal government has done little or nothing to protect the Igbos as evidenced by the continuing slaughter in Northern Nigeria and hapless response by the federal authorities.

The excesses of Boko Haram are not only tolerated but encouraged by the government of Nigeria for a single bloody-minded purpose, to exterminate and dispossess Biafrans of their property and economic patrimony. Nigeria

³ It is estimated 30,000 Igbo do practice Judaism of one form another and 26 synagogues are present in Biafra. See http://www.shavei.org/category/communities/other_communities/africa/igbo-jews-nigeria/?lang=en



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has one of Africa's largest armed forces, well financed by the petroleum industry concentrated in the southeast (Biafra). To suggest that the modern and well equipped army of Nigeria cannot crush Boko Haram is a ludicrous falsehood.

This notion that somehow Boko Haram controls the city of Kano and its environs is as false as the aforementioned statement by Alhaji Abdullahi Ahmed Yola in his official role as Nigeria's top attorney that the ICC is not needed in Nigeria. Boko Haram is the Janjaweed militia of the Nigerian government. It persists because it serves the useful purpose of being the scourge against independence minded Biafrans who seek economic and political self determination. Boko Haram has proven so effective as a useful tool of the Nigerian government that its activities have expanded in recent months despite international concerns.

The attached confidential affidavits by victims of the government sponsored Boko Haram actions targeting Igbos in Adamawa State in 2011-2012 support the position that the federal government cares nothing for the Igbo victims. These killings were occurring at virtually the same time the Nigerian Solicitor General was attempting to convince the ICC to stay out of Nigeria. Boko Haram was acting on a prescribed agenda to kill Igbos regardless of whatever local authorities might say or do including the local Emir, the titular leader of Muslims in Adamawa. This manifestation of crimes against humanity so far confined largely to northern Nigerian threatens to grip the entire nation in 2012.

The Rome Statute in article 7 defines "crime against humanity" as any of the following acts when committed in a widespread or systematic attack on a civilian population: murder; extermination; enslavement; deportation or forcible transfer of population; severe deprivation of physical liberty in violation of international law; torture; rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization, or any other grave sexual



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violence; persecution against any identifiable group on political, racial, national, ethnic, cultural, religious, gender or other grounds; enforced disappearance; apartheid; or other similar inhumane acts causing great suffering or injury.

The elements that need to be established to prove a crime against humanity under article 7(1)(k) of the Rome Statute are that, the perpetrator inflicted great suffering or serious injury by means of an inhumane act; that the perpetrator was aware of the circumstances, and that the act was committed within a widespread or systematic attack on a civilian population; that the perpetrator knew of that link.

Under Article 17 of the Rome Statute, the Court is a court of last resort, expected to exercise its jurisdiction only if state party is unwilling or unable to investigate and prosecute international crimes.

According to the Rome Statute, the Prosecutor has the discretionary power to intervene in a situation under the jurisdiction of the ICC Court if reliable information is provided to it.

BILIE contends an urgent situation is shaping up in Nigeria in 2012 necessitating that the ICC Prosecutor exercise their authority to intervene despite the state's protest that the situation is under control. BILIE proposes that:

1. The ICC Prosecutor's office urgently commence an investigation on its own initiative of the allegations of the killings in Adamawa State of Igbo by Boko Haram outlined in the affidavits, to determine whether these amount to crimes against humanity within the Court's jurisdiction.



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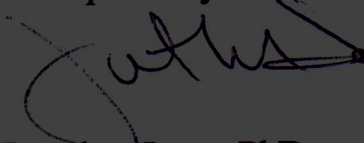
2. Initiate a response from the Nigerian government as to why these killings of Igbos are not being adequately investigated or prosecuted and to probe the governmental agenda in not doing so.

3. Bring to justice those suspected to be responsible for crimes against humanity committed against the Biafran people.

4. Order the Nigerian government to carry out its obligations under Article 86 of the Rome Statute to cooperate; including complying with your requests to arrest and surrender suspected perpetrators of crimes against humanity and provide other support to the ICC.

We know other Nigerian civil society groups are encouraging your office to investigate the situation in Nigeria. We are also leveling charges that the Nigerian central government is the mastermind behind Boko Haram. The goal is to extirpate Biafra from not only the map but the minds of its people for economic gain and continuing control of the Nigerian oil industry centered in Biafra.

Yours respectfully


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