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Nigeria: Treatment of members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB); availability of state protection (August 2004-June 2005)
Research Directorate, Immigration and Refugee Board, Ottawa

A number of civil society watchdogs, including human rights organizations, media sources, civil rights activists and academics, say that members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) frequently face harassment and the risk of arrest and detention by state authorities (HRW Jan. 2005; Denmark Jan. 2005, 11-13; *This Day* 13 Mar. 2005; *Daily Champion* 18 Mar. 2005; IRIN 19 Apr. 2005). They report that the group endures such aggravation in spite of its policy of non-violence (Denmark Jan. 2005, 11-13; *This Day* 13 Mar. 2005; *Daily Champion* 18 Mar. 2005; IRIN 19 Apr. 2005).

In *World Report 2005*, Human Rights Watch (HRW) says that members of the Biafran independence movement were "repeatedly harassed and arrested" (Jan. 2005). The Civil Liberties Organization (CLO), one of Nigeria's leading human rights groups, recently condemned the "brutal crackdown" on members of the MASSOB by state security agents (*This Day* 13 Mar. 2005). According to CLO, the mobile police use a tactic of "kill and go" to intimidate "a group that bears no arms" (ibid.). The Lagos-based Human Rights and Justice Group maintains that government security agents systematically kill members of MASSOB, forcing many to flee the country out of fear for their lives (*Daily Champion* 18 Mar. 2005). Professor Pat Utomi of the Pan-African University in Lagos, a popular commentator in the Nigerian media, explained that memories of the Biafran independence war (1967-1970) are behind the government's overreaction, which has resulted in the arrest and detention of many MASSOB members (Denmark Jan. 2005, 11). According to the Integrated Regional Information Networks (IRIN), "the issue of Biafran independence remains touchy for the government, not least because [President] Obasango, a former army general, fought personally in the civil war on the side of the federal government" (19 Apr. 2005).

In an interview with representatives of the Danish Immigration Service and the British Home Office during their joint fact-finding mission to Nigeria, Muhammad Sani Usman, Chief Administration Officer of the National Human Rights Commission (Nigeria), said that MASSOB is a non-violent political movement campaigning for an independent republic of Biafra (Denmark Jan. 2005, 11). In a similar interview, Clement Nwankwo, a Lagos-based lawyer and former director of the civil rights group Constitutional Rights Project, concurred with Usman, saying that MASSOB is an unarmed and non-violent movement (ibid., 12).

However, Nwankwo explained that, because non-violent groups are legal in Nigeria, the government insists that MASSOB is violent and has therefore banned the movement (ibid., 13). Nwankwo added that the National Police Force (NPF) has falsely accused MASSOB members of carrying arms, and argued that reports to the contrary are likely "set-ups," orchestrated by the police to provide grounds for arrests and

detentions (Denmark Jan. 2005, 13). Nwankwo noted that MASSOB has produced a Biafran flag and Biafran currency, both of which are illegal, and claimed that those found in possession of either one may be convicted of treason and sentenced to death (ibid., 12; see also *Vanguard* 26 May 2005; *The News* 27 Sept. 2004). Although Nwankwo is not aware of any death sentences handed out to MASSOB members, he claims that extra-judicial killings are common and that the National Police Force "frequently kills members of MASSOB...with impunity" (Denmark Jan. 2005, 12).

According to a report by IRIN, for example, human rights organizations claim that "dozens of pro-Biafran activists have been killed over the last six years for campaigning for such beliefs and more than 300 are currently in detention after being arrested by the police at marches and rallies organized by MASSOB" (19 Apr. 2005). The CLO also says that police regularly invade the homes of suspected MASSOB members, use lethal force and confiscate property (IRIN 19 Apr. 2005; see also *The News* 1 Nov. 2004; *Daily Champion* 16 Oct. 2004).

Reports by IRIN and the *Africa Research Bulletin* (ARB) suggest that the government hardened its approach to MASSOB after the group successfully organized a strike on 26 August 2004 which shut down private businesses and markets in the southeast and major cities controlled by Igbo-run businesses such as Lagos and Kano (1-31 Aug. 2004; IRIN 19 Apr. 2005). National media sources reported that Igbo-run businesses shut down operations for one day to protest their perceived marginalization by the government in support of a directive by MASSOB, and despite official directives to the contrary (*Daily Champion* 27 Aug. 2004; *Vanguard* 29 Aug. 2004). According to the *Daily Champion*, a Nigerian national newspaper, the southeast and south-south regions of the country, including Plateau State, came to a standstill as "millions" of residents remained at home in compliance with the MASSOB order (27 Aug. 2004).

On 11 September 2004, 53 people were arrested for participating in a MASSOB youth football tournament in Lagos (BBC News 17 Mar. 2005; *Vanguard* 29 Oct. 2004). After being incarcerated for six months were they formally charged with treason on the grounds of planning to wage war against Nigeria and belonging to an unlawful society that attempted to incite Nigerians against the president, Olusegun Obasanjo (IRIN 19 Apr. 2005).

In another crackdown on MASSOB activities, police raided what they claimed was an illegal secessionist rally but what MASSOB insists was a religious march (*Vanguard* 10 May 2005; IRIN 10 May 2005; BBC News 9 May 2005). According to media sources, police confirmed the arrests of 80 suspected MASSOB members on charges of treason, conspiracy and illegal assembly on 7 May 2005 in Abakaliki, Ebonyi State (ibid., IRIN 10 May 2005; *Vanguard* 10 May 2005).

According to a solicitor at the International Centre for Nigerian Law (ICNL), the proposed Prohibition of Certain Associations Act 2002 did not pass through parliament and has since lapsed (17 June 2005). The bill called for the banning of any associations and quasi-military groups who display "physical force or coercion in order to promote any political objective or interest" (IRIN 11 Apr. 2002).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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