

Buhari Administration's Defense In Congressman Marino's Letter On Regime Atrocities In Nigeria

The Ranting Of An Incurable Atrocious Regime

(Onitsha Nigeria, 6th of September 2016)-The International Society for Civil Liberties & the Rule of Law (Intersociety) is deeply pleased and highly appreciative of the widely published letter by the Republican Party's Congressman, Tom Marino of Pennsylvania, to the US Department of State through the Secretary of State, Senator John Kerry, asking the US Government to withhold its planned security assistance to Nigeria until '**President Muhammadu Buhari demonstrates a commitment to inclusive government and the most basic tenets of democracy: freedom to assembly and freedom of speech**'. Congressman Tom Marino assumed office on 3rd January 2011 as Republican Party's Congressman representing the State of Pennsylvania and presently, he is a member of the US House of Reps Committees on Judiciary, Homeland Security and Foreign Affairs as well as Chairman, House Sub-committee on Regulatory Reform, Commercial & Antitrust Law.

The grand summary of Congressman Tom Marino's saintly letter to US Department of State is that *the Buhari's civilian Presidency is disastrously marked by dictatorship, gross human rights abuses, political exclusion and segregation, violence and militancy, sectionalism, deep ethno-religious divisions and policy of militarism and militarization.*

Totality of these gravely breaches the Constitution and Laws of the United States particularly in matters of its foreign policy relations and laws (i.e. the Leahy Law). The **Leahy Law** or **Leahy amendment is a U.S. human rights law that prohibits the U.S. Department of State and Department of Defense from providing military assistance to foreign military units that violate human rights with impunity. It is named after its principal sponsor, Senator Patrick Leahy of Vermont. To implement this law, U.S. embassies, the Bureau of Democracy, Human Rights, and Labor and the appropriate regional bureau of the U.S. Department of State vet potential recipients of security assistance. If a unit is found to have been credibly implicated in a serious abuse of human rights, assistance is denied until the host nation government takes effective steps to bring the responsible persons within the unit to justice.**

It is on account of the above that the referenced US Congressman's two-page letter to Senator John Kerry in his capacity as the US Secretary of State is predicated. Rep Tom Marino had in his letter copiously and credibly quoted various Amnesty International reports on Nigeria and Gen Buhari's Presidency; outlining gross rights abuses by the Presidency and its *unwillingness and inability* to fish out the perpetrators and put them on trial.

Under the International Laws' *Principle of Complimentarity*, **no foreign or international justice actions are required in or against any member-State of UN as they concern gross human rights abuses if such member-State clearly and credibly demonstrates 'its ability and willingness to fish out the perpetrators of such gross rights abuses and bring them to justice; rested on international best practices' and indeed, goes ahead and does same.** The reverse is the case where a member-State brazenly and blatantly demonstrates *unwillingness and inability* to make the perpetrators to account or is found to have aided and abetted such heinous crimes in the context of 'crimes against humanity or war crimes'.

Further, under existing UN or International Customary and Humanitarian Laws, the UN or any member-State of UN under UN authorization can initiate *international peace operations* against any member-State found enmeshed in *brazen regime atrocities*, culminating into *complex humanitarian emergencies or disasters*. This is under the new international or UN's doctrine of *sovereignty as a responsibility*, adopted in 1993 as well as the universal human rights doctrine of *indissolubility, uniformity, indivisibility and universality*. That is to say that *human rights violation anywhere is a threat to human rights protection everywhere!* The Tom Marino's letter is contained here: <http://www.thetrentonline.com/us-congressman-slams-buhari/>

We have also read and studied the reply to the US Congressman's letter by the Buhari Administration through its Minister for Information & Culture, Alhaji Lai Muhammed. The response under reference is contained in the following link: <http://www.vanguardngr.com/2016/09/tune-reality-fg-replies-us-congressman/>. As expected, the Federal Government's response was factored on emptiness, misinformation and irrelevancies. Its claims that 'Congressman Tom Marino was shabbily informed about current realities in Nigeria' are also empty and untrue. As a matter of fact, Congressman Tom Marino's letter is factually grounded, spotless, timely and commendable. The regime atrocities of the Buhari Administration highlighted in his letter are even grossly under-reported going by the current realities.

For instance, the number of members of the Muslim Movement of Nigeria (Shiite) massacred in December 2015 by the Nigerian Army on orders of the Chief of Army Staff (Lt Gen Turkur Buratai), which Amnesty International then gave as 'at least, 300'; has since increased to over 800. The number of Pro Biafra activists particularly the IPOB members massacred in at least eight different locations in Southeast and South-south parts of Nigeria between August 2015 and May 2016, which the Tom Marino's letter gave as 'over 36' (quoting AI reports), is grossly under-reported. The real number is as high as 250 with over 300 others terminally shot and wounded. In the two tribal and religious massacres under reference, the victims were unarmed and nonviolent. Till date, the chief perpetrators of the genocidal massacres who are elements in the Nigerian Army and the Nigeria Police Force are still on the prowl and none of them has been arrested and put on trial. As a matter of fact, those implicated are presidentially rewarded with promotions and juicy posts and protected till date.

It is therefore totally correct to say that it is the Buhari Administration that is out of tune with global realities including the current trends in international relations and laws as well as the codified and constitutionalized foreign policies of the United States, which Congressman Tom Marino is battling to ensure that they are not rubbished by the Obama Administration via his letter. What Congressman Tom Marino did in his letter was to fundamentally state the obvious and remind the US Department of State of its duties under the existing laws and procedures of the USA.

The Buhari Administration's defence in its glaring sectionalized appointments using the so called 'board appointments' as an indication of geopolitical and geographical spread and balancing; is totally mischievous and an argument grounded in crookedness. Using ministerial appointment criteria mandatorily provided in the 1999 Constitution as an escape route is a further attestation of an administration founded on falsehood, misdirection and deceit.

Till date, one of the greatest minuses of the Buhari Administration is its **corrupted sainthood**. To the prompters and promoters of the current riotous Presidency of Gen Muhammadu Buhari, **the Buhari Administration does no wrong, sees no wrong and says no wrong**. That is to say that the Administration has never admitted any fault or wrong doing since its inception in late May 2015.

It is our additional information that one of the things that Congressman Tom Marino failed to observe and highlight in his epochal letter to the US Department of State is that 'this is a civilian regime that has hung over 150 constitutional breaches and regime atrocities around its neck in the past 15 months or since late May 2015'. The Congressman Tom Marino's letter also omitted the fact that 'rule of law and due process have been grossly bastardized and corrupted under Buhari's Presidency'; that the likes of Sheik Ibrahim El-Zaky Zaky (leader of the Muslim Movement of Nigeria (Shiite) who was taken into DSS custody in the middle of December 2015, after his body was bloodily designed with bucketful of shot live bullets and lacerated, has not been produced in public or tried in any court in Nigeria till date; a period of over eight months. The letter also omitted the fact that citizens are arrested and detained with reckless abandon amidst grave torture, by the Police, the Army and the DSS on orders of Gen Buhari. Some of them have been held without trial or release for over eighty days contrary to Section 35 (4) of the 1999 Constitution while others being detained have been marked to be held in like manners.

The Congressman Tom Marino's letter further omitted the fact that Citizen Nnamdi Kanu (POC), who is the leader of nonviolent and unarmed Pro Biafra self determination agitation has been in detention for over ten months or 300 days without standing trial in any court in Nigeria. In other words, he is presently being held under 'Holden Charge' or pre-trial detention, which is gravely contrary to international justice administration best practices. It is our update information to the likes of 'Saint' Tom Marino and 'Demon' John Kerry that nonviolent and lawful assemblies in Nigeria are now not only made felonious offences via a presidential secret code or coded directive, but it has also become 'a capital offence' resulting in 'shoot-at-sight', indiscriminate crackdown and mass arrest and long detention without trial of their proponents. Just last night, the names of 45 citizens of Southeast and South-south Nigeria marked for abduction and possible extra judicial execution by DSS was leaked. All the names are members and promoters of the nonviolent and unarmed Indigenous People of Biafra or IPOB. Their names were typed on the official letter-headed paper of the DSS, dated and pasted on the wall of one of its administrative offices in Abuja, Nigeria. It is possible that the notice was snapped and posted online by a disillusioned DSS operative.

Thirty-eight (38) of the 45 names are Sunday Onyekachi, Ogechukwu Obiorah, Ann Okafor, Amaechi Sunday Kanu (Sheffield, UK), Dickson Ekene, Ndidi Ojukwu, Emma Powerful, Emma Nmezu, Uchechi Kanu (London, UK: Nnamdi Kanu's wife and nursing mother), Sidney Okoli (Mollorca, Spain), Andy Obeche, Ifriam Ezeiwu, Chukwuemeka Mfon, Ikenna Sunday Egono, Chijioke Ekwueme, Godwin Osinachi, Udoka Amarachi (Dortmund, Germany), Uche Martin Doludo, Nduka Enuma, Ambrose Ero, Clifford Mbamere, Andy Obina Okafor, Stephen Oko (Uk), Onyeka Joseph, Eric, Dike Benson, Uche Emmanuel Uche, Udoka Okechukwu David, Martins (Austria), Michael Chidi Okafor, Daniel Ifeanyi (USA), Roland Abumere, Kenneth Uche Opara, Emenike Anyanwu, Obinwanne Markson Chukwujekwu, Chukwu I Ojiugo, Ezinwanne Mba, Jeff Amechi. The link to IPOB members' wanted list of the DSS is contained here: <http://www.otimestv.com/2016/09/shocking-sss-releases-list-of-wanted.html#more>

Already, eight key members and promoters of IPOB in Nigeria have been arrested by DSS between 22nd June 2016 and 26th of August 2016 and till date; none of them has been put on trial or told offenses under which they are being detained without trial. The eight IPOB members are Citizens Chidiebere Onwudiwe (arrested on 22nd June 2016), Justice O. Udeh (arrested on 13th of July 2016) and Chukwuka Sunday Obasi (shot on his two legs and arrested on 16th of August 2016). Others are Citizens Ikechukwu Ugwuoha, Ugochukwu Asochukwu, Sunday J. Okafor, Ekene Onuoha and Joseph Okorie. They were arrested on 26th of August 2016 at Ugba Junction, near Aba in Abia State, Southeast Nigeria and held as at 5th of September 2016 at the DSS dudgeon in Umuahia, Abia State.

We hereby commend the courage and sagacity of Congressman Tom Marino for not only speaking out against the raging regime atrocities in Nigeria but for also calling the Obama administration to order, and thwarting and exposing the current US Administration's attempts to return the country to its inglorious foreign policy past during which it riotously aided and abetted tortuous and atrocious regimes in Africa, South America and Asia. Republican Tom Marino's letter is a huge consolation to tens of millions of Nigerians particularly the victims and potential victims of the Buhari's regime atrocities.

Events, they say; throw up social saints and social demons! Today, a social sainthood is created and social saint born in the person of Congressman Tom Marino and a name 'Senator John Kerry', perceived in some quarters as 'a potential social demon', has been made 'a social demon' for real, on account of Congressman Tom Marino's epochal letter and exposition! Other internationally respected personalities are called upon to speak out against raging regime atrocities in Nigeria and stop the Buhari Administration from its disastrous and steady march to plunge Nigeria into *complex humanitarian emergencies or disasters of unmanageable and uncontrollable proportions!!*

Signed:

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