

'Proscription' Of Shiites & IPOB: Nigerian Govt Is Wantonly Injecting Nigerians With Toxins Of Genocide

...Intersociety

Onitsha, Eastern Nigeria: Sunday, 28th July 2019: The Nigerian Government headed by Retired Major Gen Muhammadu Buhari and Prof Yemi Osinbajo as his Vice is dangerously licensing Nigerians to take up arms and go into intractable terror-insurgency capable of turning the country into Somalia or situation worse than same. The Government, as a matter of fact, is dangerously injecting Nigerians with toxins of genocide and destruction.

Using the *laws of karma*, the present Government of Nigeria appears to be operating as if it is a cursed regime being haunted by its past misdeeds particularly the framing up and slaying of thousands of unarmed and defenseless citizens as *it is generationally damning to kill an innocent soul, not to talk of killing thousands with impunity*. The latest court-declared proscription and tagging of Shiite Muslims in Nigeria as "terrorist group" is hereby condemned in strongest and unreserved terms.

By 'proscribing' the legally non-existent 'Islamic Movement in Nigeria', barely two years (17th Sept 2017) after such regime atrocious madness was exhibited in the case of 'IPOB', another legally non-existent indigenous movement; as well as ten years after (July 2009) its predecessor Government monstrously radicalized Boko Haram, a hitherto rag tag group of 'area or street miscreants'; the present Government of Nigeria is steadily and unstopably pushing the country and its people to path of abyss or catastrophic perdition.

How can a Government that calls itself a 'democratic government' on 12th to 15th Dec 2015 massacred over 1000 members of a nonviolent and defenseless religious group (Shiites) and maimed 700, destroyed or razed down its headquarters at Hussainia (13th and 14th Dec 2015), stormed the house of its leader at No 1 Wali Road, Gyellesu, Zaria and shot severally at and terminally injured its leader (Mallam Zaky Ibrahim el-Zaky) and his beloved wife (Zeenat), shot and killed their three sons(Hammad, then 17 years; Ali Haydar, then 15 years and Humaid, then 13 years) ; also shot and killed Hajia Fatima-the religious leader's elder sister (then 70 years old), bundled the defenseless religious leader and his beloved wife into perpetual detention since past 43 months or three years and seven months and retroactively turned around to secure a black market court order (ex parte) to label the same persecuted religious group a proscribed and terrorist group? What then is a state persecution and pursuit of vendetta?

The above was the position of **Int'l Society for Civil Liberties & Rule of Law, Intersociety**, as contained in a statement issued today, 28th July 2019 and signed by Lawyers Obianuju Joy Igboeli, Head of Civil Liberties & Rule of Law Program, Chinwe Umeche, Head of Democracy & Good Governance Program, Catherine Ndiadamaka Bernard, Head of Int'l Justice & Human Rights Program, Evangeline Chidinma Udegbonam, Head of Campaign & Publicity Dept and Emeka Umeagbalasi, a Criminologist & Graduate of Security Studies and Board Chair of **Intersociety**.

The present central Government apart from dangerously exposing the country and its territorial and marine borders and handing them over to 'foreign Fulani mercenaries' is further goofing on daily basis by risking the lives of the estimated 200m People of Nigeria and injecting the country with toxins of insurgency and genocide.

'Proscription' Of Shiites Muslims In Nigeria: As first reported by Punch Newspaper and others, the Federal Government had on Friday, 26th July 2019 approached an Abuja Division of the Federal High Court presided over by Justice Nkeonye Maha through the Solicitor Gen of the Federation and Permanent Secretary, Federal Ministry of Justice, Mr. Dayo Akpata, urging the Court via ex parte application for proscription of 'IMN' or 'Islamic Movement in Nigeria' and declaration of same as 'terrorist organization'. The Judge; empowered legally to refuse the application until the other party is heard, declined and granted the application as unilaterally canvassed for or sought. The application was made via Suit No: **FHC/ABJ/CS/876/2019**.

Recalling The Vindictive ‘Proscription’ Of IPOB: The Nigerian Defense Headquarters had on 15th Sept 2017 after receiving the intelligence reports that its soldiers had massacred many unarmed and defenseless citizens in Abia State in execution of its ‘Operation Python Dance 11’, caused steps to be taken apparently to retroactively justify the massacre by designating ‘IPOB’ as a ‘terror organization’ and on Sunday, 17th Sept 2017, President Muhammadu Buhari issued a proclamation tagging ‘IPOB’ a terrorist organization. This was followed by a retroactive ex parte court order secured or issued by the now retired Justice Abdul Kafarati, then Acting Chief Judge of the Federal High Court. The order ex parte was made on Wednesday, 20th Sept 2017.

Legal Nullity Of Govt ‘Proscription’ Of Shiites & IPOB: By the laws of Nigeria, the name: ‘Islamic Movement in Nigeria’ is correctly called Shiite Muslims. It is not a registered body even if called ‘IMN’; likewise ‘IPOB’ or ‘indigenous People of Biafra’. By faith, Shiites are the second largest branch of Islam in the world after Sunnis, dating back to few years after the death of Prophet Mohammed in 632 AD. By indigene-ship, the ‘IPOB’ or Indigenous Peoples of Biafra are an assemblage of peoples found around the Bight of Biafra or in old Eastern Nigeria; dominated by Igbo People of Africa, an indigenous people found settled in their present areas about 3,469 years ago.

Therefore, neither Shiites nor Indigenous People of Biafra or Igbo People of Africa can be legislated by a State (Nigerian Government) out of existence. This is more so when ‘Nigeria’ was brought into existence by the indigenous peoples and their indigenous or freely accepted non indigenous religious faiths. It further follows that while Nigeria and its Government lacks legal power to legislate any indigenous people or a faith out of existence; a combination of indigenous peoples and faith entities can legislate ‘Nigeria’ or its Government out of existence through constitutionalism or referendum or neo nation formative polls. As a matter of fact, the issue that concerns the existence or otherwise of an indigenous people (i.e. IPOB) or a faith entity (i.e. Shiite Muslims) can only be determined by *the doctrine of necessity* extra-ordinary circumstances.

Circumstances Under Which Govt Can Act: However, Government’s attention and powers of regulation are expressly permitted or allowed strictly only when such indigenous people or faith body declares war or takes up arms against the State and its People in part or in whole. In the world over, the indigenous people’s right to self – determination, exercise peacefully or nonviolently in furtherance of their existence, development and identity is sacrosanct and a must respected at all times. Same thing goes for right to freedom of worship or religion, which origin dates back to 313 AD under Emperor Constantine of the then Roman Empire.

In the two instant cases therefore, the proscription and tagging of ‘IMN’ (Shiites) and ‘IPOB’ as terror groups are the worst injustices against their Peoples’ rights to ethnic and religious self determination including their rights of existence, ethnic identity, development, worship and religion; all guaranteed by the Nigerian Constitution and the country’s Int’l Rights Treaty Laws enacted under the UN and the AU systems. This is more so when there are no verifiable records anywhere in the country or part of it till date linking the duo of ‘IMN’ and ‘IPOB’ to armed resistance.

It has never been heard in the history of any progressive or serious minded civil or limited government that a military convoy of an army chief or in the case of Nigeria-a convoy carrying its atrocious army chief could deliberately and violently run into an annual religious procession, known to him from the childhood as a Muslim; just to instigate and perpetrate a mass murder, leading to death of not less than 1000 and 700 injuries in four days of 12th, 13th, 14th and 15th Dec 2015. It is also an established fact that across all faiths around the world, no member of a faith goes before his or her God armed or violent.

The ferocious attacks were also launched against unarmed and defenseless Igbo citizens of old Eastern Nigeria in general and 'IPOB' in particular. Apart from the Onitsha-Nkpor-Asaba massacre of 29th and 30th May 2016, leading to not less than 140 deaths and over 130 terminal injuries, the Aba, Isiala-Ngwa and Umuahia massacre of 12th to 14th Sept 2017 was the worst; leading to no fewer than 180 deaths and over 130 terminal injuries. There were also Onitsha killings of 2nd and 17th Dec 2015, Aba killings of 9th Feb 2016 and Igweocha (Port Harcourt) killings of 20th Jan 2017, etc; all perpetrated by the Nigerian security forces led by Army and Police.

State Killings & Other Illegalities On Increase: State killings outside the law in Nigeria have become so unchecked and deepened that they are not only perpetrated with widespread in the streets but have also been shifted to the Nigerian security custodies particularly the detention facilities manned by the Nigeria Police Force. **Intersociety** is saddened by the latest reports of death on Thursday, 25th July 2019 in the FCID/SARS custody of some detained members of the Nigeria's Shiite Muslims who were obviously abducted and dumped without treatments. Of several unarmed and defenseless Shiite members shot and injured on 22nd July 2019 were Miss Ummu Kulthum Isma'il-a 200 level Micro Biology student of ABU, Zaria and Miss Fatima Dasuki, a university trained dentist.

We also have on good authority that there has been several late night or unholy hour invasion by security agents including soldiers and personnel of the F/SARS of homes and clinics where injured Shiite members were receiving treatments; leading to the injured being abducted and taken to unknown destinations. The indiscriminate use of lethal force including torture, unlawful killings and extra judicial executions against street protesters and other unarmed and defenseless citizens has increased geometrically under the present Buhari and Osinbajo Government.

Observing Gunshot Treatment & Anti Torture Acts In Grave Breach: Apart from acts of torture, extra judicial executions and unlawful killings including deaths in policing or security custodies being outlawed by the Constitution of Nigeria in Sections 33 and 34, the Buhari and Osinbajo Government has also observed its own enacted laws in grave breach. The Government had on 29th Dec 2017 signed into law the *Compulsory Treatment & Care for Victims of Gunshot Act of 2017*.

The Act specifically stipulates that *a person with gunshot wound shall be received for immediate and adequate treatment by any hospital in Nigeria with or without initial monetary deposit* and that *a person with gunshot wound shall not be subjected to inhuman and degrading treatment or torture by any person or authority including the police and other security agencies*.

On the same date (29th Dec 2017), the Anti Torture Act was also signed into law by President Muhammadu Buhari as an Act of the National Assembly of Nigeria. The Act makes comprehensive provisions for penalizing the acts of torture and other cruel, inhuman and degrading treatment or punishment, and prescribes penalties for the commission of such acts. Yet in the instant case, the same Government has observed in grave breach the same laws it signed or enacted into law.

Who Killed DCP Usman Umar During Shiites' Protests?: The authorities of the Nigeria Police and the Nigerian Army must tell Nigerians who killed DCP Usman Umar during the Shiites' protests of 22nd July 2019. Was he a victim of collateral killing or in-service or inter-service conspiracy? Or was his killing deliberately hatched or mistakenly hatched to prepare grounds for tagging Shiites a terror group? How was he killed: stabbed or strangled, clubbed or macheted, lynched or ambushed? What was the proportionality of force used by security agencies including soldiers and police during the protests?

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