

MEDIA ADVISORY

NIGERIAN ARMY HAS NO POWERS TO DECLARE ANY GROUP A TERRORIST ORGANIZATION, AND NEEDS TO RECANT THE RECENT DECLARATION ON IPOB NOW!

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Introduction: On ... the Nigerian Military

The Nigerian military does not have the right to declare any group a terrorist organization, and doing so usurps the powers and responsibility of political branches of government. These ones alone can declare an organization is a terrorist organization. The Nigerian military is not a political body; it is established by section 217 of the Constitution to defend Nigeria from external aggression, maintain the territorial integrity of Nigeria and defend Nigeria's borders, suppress insurrection and carry out other duties as may be prescribed by the Constitution.

The Nigerian military has, over many years, responded to claims of marginalization and agitations for a Biafra State by the Indigenous People of Biafra (IPOB) group with brutal and excessive force, killing hundreds of members of IPOB and committing war crimes and gross human rights atrocities in the course of this crackdown. The military has not brought those responsible for past acts of genocide to account, and the government of President Buhari has neither moved against the lawlessness of the military nor brought the perpetrators of these heinous killings to justice.

The military has itself used terror tactics to attack and repress IPOB and its members, and many independent reports and verified footage substantiate this. A few days ago, more people were killed in Umuahia, Abia State, after the Nigerian military launched what it described as Operation Python Dance 11, and stationed its forces in front of the residence of the father of IPOB leader, Nnamdi Kanu and shot at concerned youths who mobilized to defend their leader.

We fear that the declaration of IPOB as a terrorist organization by the military is an orchestrated prelude to another wave of violent and deadly clampdown on the members of IPOB and many more violations of the rights of members of this organization will be

predicated on a declaration that has no basis in law and is clearly an unwarranted and grave usurpation of powers by the military. Already the new Police Commissioner of Abia has, upon resumption of office in Abia State, cited the illicit declaration of the military as a basis for treating IPOB as a terrorist organization and its members as terrorists. Characterizing IPOB as a terrorist organization will incite hatred and antagonism against its members, and instigate security and law enforcement agencies to launch and inflict indiscriminating violence against them while conditioning some members of the public to think that the all members of IPOB are indeed defined by that characterization. This declaration by the Nigerian military is therefore a rash, inflammatory, self-serving and dangerous perspective on the agitations of IPOB. The military should immediately recant on that declaration now.

Access to Justice also urges the military and the police not to escalate already volatile political tensions in Nigeria by actions capable of inflaming ethnic passions, causing more avoidable deaths and destruction and instigating counter-revolts and citizen unrests. Access to Justice further urges IPOB and its members to refrain from unlawful acts of violence, reprisal killings and the destruction of property.