

**SUBMISSION OF BRUCE FEIN
INTERNATIONAL LAWYER AND SPOKESMAN FOR NNAMDI KANU, LEADER,
INDIGENOUS PEOPLE OF BIAFRA**

CHARGING GOVERNOR **EZENWO NYESOM WIKE** OF RIVERS STATE NIGERIA WITH CONSPIRACY, GENOCIDE, AND CRIMES AGAINST HUMANITY ABAINST BIAFRANS BY KNOWING PARTICPATION IN PROTRACTED AND SYSTYEMATIC MURDER, EXTERMINATION, STARVATION, DENIAL OF NECESSARY MEDICAL CARE AND SHELTER, ARBITRARY IMPRISONMENT, TORTURE, RAPE, THEFT, AND PERSECUTION BASED ON POLITICAL OPINION, RELIGION, OR ETHNICITY

TO: KARIM KHAN
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PREPARED BY:

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Dear Chief Prosecutor Khan and the Information and Evidence Unit of the Prosecutor:

JURISDICTION AND SUMMARY

The Federal Government of Nigeria ratified the Rome Statute of the International Criminal Court (ICC) on September 27, 2001. The Federal Government of Nigeria has initiated no investigation of the crimes alleged herein under Article 17 of the Rome Statute.

The ICC possesses jurisdiction over genocide and crimes against humanity as defined by Articles 6 and 7 of the Rome Statute.

The accused, **EZENWO NYESOM WIKE**, Governor of Rivers State, Nigeria, is a quisling who has joined an ongoing genocide and crimes against humanity against Biafrans involving, among others, Nigerian President Muhammadu Buhari and his Fulani terrorist agents. Biafrans have been targeted for killings, rape, torture, plunder, and conditions of life calculated to destroy them specifically because of their ethnicity, religion (Christianity), and exercise of fundamental human rights such as freedom of speech and association advocating a self-determination referendum.

The accused **EZENWO NYESOM WIKE** has lent his authority as Governor of Rivers State to assist in genocide and crimes against humanity is elaborated anon. Among other things, **WIKE** orchestrated the massacre of more than 3800 Biafrans in the Obigbo area of Rivers State in October 2020 as part of an ongoing and widespread and systematic attack by the Fulani-controlled Federal Government of Nigeria, against the Biafran civilian population in the southeast.

The magnitude of Fulani atrocities against Biafrans shocks the conscience.

WIKE is a prime mover full knowledge of the notorious genocide and crimes against humanity engineered by co-conspirator President Muhammadu Buhari.

BACKGROUND

Biafrans enjoyed independent sovereignty up until the United Kingdom conquest in 1914 with machine guns. Indeed, in the 1800s, the UK negotiated treaties with Biafran sovereigns. By force of arms in 1914, the British crammed Nigeria down the throats of Biafrans without their consent. Nigeria artificially amalgamated multiple heterogenous ethnic groups or tribes sporting competing religions, history, culture, values, language, and dress informed by the cynical British colonial policy of divide and conquer. Biafrans in the southeast, Hausa-Fulani in the north, and Yoruba in the southwest constituted the three largest ethnic groups.

Biafrans are overwhelmingly Christian. Fulani are overwhelming Muslim. Boko Haram, a foreign terrorist organization under United States law, is Fulani. Its aim is the forced Islamization of Nigeria through compelled conversions. Twelve northern states in Nigeria where Fulani predominate are governed by sharia. There are no exemptions or accommodations for Christians.

During British colonial rule, Biafrans, Fulani, and Yoruba were de facto segregated for purposes of administration or otherwise. Marriage outside ethnicity was and remains uncommon. The United Kingdom granted Nigeria independence in 1960 without self-determination referenda for its distinct peoples or ethnic groups in contravention of United Nations General Assembly Resolution 1514:

“[A]ll peoples have the right to self-determination, but this necessarily includes the right freely to determine their political status and freely to pursue their economic, social and cultural development (art. 2).”

The United Kingdom handed power to Nigerians vetted for their commitment to defend British economic privileges, for example, oil giant Shell-BP. Nigeria was born as a failed state. Massive corruption flourished. Biafrans, more educated, entrepreneurial, and democratic than rival ethnic groups, wanted out. In 1967, a summit was held in Ghana between the Supreme

Military Council (SMC) and Eastern (Biafan) delegates led by Chukwuemeka Odumegwu-Ojukwu to negotiate power-sharing resolutions to forestall a simmering civil war. The Aburi Accord purported to protect Biafrans from Fulani oppression by requiring a consensus among all major ethnic groups for major decisions. The Accord immediately went up in flames when the SMC empowered itself to dismantle its checks and balances by declaring a national emergency.

The genocidal 1967-1970 Civil War then ensued. The Federal Government of Nigeria created conditions of life, i.e., massacres and starvation by a land, water, and air blockade of Biafra intending to exterminate Biafrans specifically because of their religion or ethnicity (and oil in the Niger Delta). The criminal endeavor was largely successful. Best estimates place Biafran deaths at a staggering 2-3 million. The United Kingdom and the Soviet Union were both allies of Nigeria's genocidal government for ulterior motives.

The war ended, but the persecution of Biafrans at the hands of Fulani did not. The former was generally excluded from the corridors of power, including the security services. No Fulani has ever been prosecuted for murdering or raping a Biafran.

The Biafran genocide escalated with the presidential election of former military dictator and Fulani extremist Muhammadu Buhari in 2015. President Buhari unwittingly blurted out at the United States Institute of Peace on July 25, 2015, that he would represent the interests of the constituencies that voted 97 percent to support him but not his political opponents. Mr. Buhari has more than amply honored his threat by a genocide campaign implicating the accused **GOVERNOR WIKE.**

According to Genocide Watch, Fulani Jihadists are now the world's deadliest terrorist organization, massacring five Nigerian Christians daily. <https://www.genocidewatch.com/single-post/2020/04/13/nigeria-is-a-killing-field-of-defenseless-christians>.

STATEMENT

Documentation of the ongoing genocide and crimes against humanity perpetrated by the Fulani-controlled Federal Government of Nigeria against Biafrans in which **GOVERNOR WIKE** is a co-conspirator can be found at <https://intersociety-ng.org/massacre-in-eastern-nigeria-a-special-investigative-report/>. The documentation is incomplete because the Fulani kill persons who investigate their grisly crime scenes. According to the Executive Summary:

1. Security Operatives, Jihadists Killed 1,400 Defenseless Citizens In 14 Months

The Nigerian security forces, at present structured along Northern Muslim lines and deployed in Eastern Nigeria had in fourteen months or between late October 2020 and Dec 2021 killed not less than 1,150 defenseless citizens of Eastern Nigeria. All the victims are members of Judeo-Christian Faith and mostly ethnic Igbo citizens. Their killings represent monthly average of 85 deaths and daily average of three and could be monthly average of 155 and daily average of 5.5 deaths if the presumed dead 1000 missing citizens are added. The security forces also abducted and disappeared till date in the same past 14 months at least 1000 unarmed civilians; arrested alive and unarmed and taken into security custodies outside the knowledge of their families or lawyers, from where they have gone missing till date. Soldiers of the Nigerian Army are found to be responsible for at least 70% of their abduction and disappearances while DSS, NPF, Nigerian Navy and Nigerian Air Force are separately and jointly responsible for the remaining 30%.

In the area of ‘perpetrator ratio’, soldiers of the Nigerian Army and various ‘special squads’ of the Nigeria Police Force are the lead-killers or perpetrators. The trio of Governors Hope Uzodimma of Imo State, Nyesom Wike of Rivers State and Dave Umahi of Ebonyi State are the most vicariously culpable Governors that aided and abetted the killings and property destruction including burning of civilian homes and sanctuaries. On the other hand, the widely believed Nigerian State protected Jihadists especially the Jihadist Fulani Herdsmen are responsible for hacking to death in 2021 alone of at least 270 Igbo Christians. Their death had majorly occurred in Ebonyi, Enugu, Anambra, Imo, Abia and Igbo parts of Delta, Edo (Obiaruku and Igbo-Akiri),

Benue and Kogi States. The killings by Jihadist Fulani Herdsmen have brought the total number of defenseless citizens traceably killed in Eastern Nigeria in the past 14 months to at least 1,400. This is when added to 1,150 defenseless civilian deaths perpetrated by security forces. The Death Toll Could Be 2,400 If 1000 Missing/Presumed Dead Citizens Are Added

It is therefore likely correct to say that in all, not less than 2,400 unarmed civilians lost their lives to Nigerian security forces and the Jihadists in Eastern Nigeria in the past 14 months-covering October 2020 to December 2021. This is on account of the fact that the not less than 1000 missing persons are likely to have been killed in custodies and most unlikely to be returned alive to their families again. This is more so when strong evidence abounds showing no traces of location and securing the release of citizens abducted by soldiers of the Nigerian Army in Eastern Nigeria since January 2021. They also hardly handover or transfer those arrested or abducted to the Police. From our investigation, most, if not all those abducted by them since January 2021 have never been located by families or seen alive till date.

Same was the case during and after the Army's war grade attack on Obigbo in late October-early November 2020. It is shocking that while dozens died in different secret military custodies within and outside Eastern Nigeria, not less than 550 of the abductees were later independently located, out of the number, 418 were freed through courts and 95-100 others were discovered in late November 2021 to have been dumped in Kaduna Prisons and Lock Centers. Over 40 of the abductees were also found to have been killed in custody through torture and infliction of injuries as well as starvation and lack of medical treatment. Estimated number of 200 Obigbo abductees is still unaccounted for and their whereabouts are unknown till date. **Intersociety** has continued to receive enquiry messages from dozens of families of those searching for their loved ones. The Nigerian Army is further acting roguishly by holding their abductees for over a year through intra and inter-agency detention transfers-whereby the abductees are secretly

held without trial in several military and security agencies' detention facilities leading to scores of custodial deaths.

2. 4800 Arrested, 2000 Still Held, 700 Freed, Others Killed Or Disappeared Analytically, estimated 4800 unarmed citizens of Eastern Nigeria have been arrested or abducted by security forces in the past 14 months (since late October 2020), out of the number, 660 were traceably killed in security custodies, about 500 were killed in open shootings mainly carried out by soldiers of the Nigerian Army and personnel of other branches of the Armed Forces-with a clear case in point being dumping of over 100 dead victims of Army's open shooting of civilians at the Owerri Federal Medical Center. Not less than 1000 mainly abducted civilians have disappeared or presumed dead mainly in military custodies. No fewer than 2000 unarmed civilians are still detained without trial and only 700 of the arrested 4800 citizens have regained their freedom in the past 14 months. The freed 700 citizens had included 418 Obigbo abductees and some 300 other civilian citizens arrested by security forces in the East since January 2021. Most of them got freed after being forced to offer average of N1m per freed detainee. This was majorly the case in the hands of the Nigeria Police Force especially its "IRT", "STS", "CTU", "Anti Kidnapping", "SWAT/SARS" and "the Special Forces" comprising the operatives of the Army, Police, DSS, Navy, Air Force, NSCDC, etc.

3. This **Special Investigative Report** also found that not less than 400 leaders/members of the African Instituted Churches, derogatorily called "White Garment Churches" including Sabbath sects and their likes have been abducted or killed in security custodies. Through religious profiling and persecution and fueled by false labeling and without concrete and

indictable pieces of evidence, the Nigerian security forces have designated them as ‘terrorist religious group’ and hatefully accused them of membership and sponsorship of “ESN/IPOB”. Many, if not most of their sacred sanctuaries and symbols of worship and dwelling houses have also been burnt down or destroyed by security forces. Traditional herbalists across Eastern Nigeria have also become endangered species in the hands of security forces. From the camps of about five designated categories of “Unknown Gunmen” operating in Igbo parts of Eastern Nigeria, not less than 100 civilian deaths have been recorded in the Region since July 2021 with Imo, Anambra, Enugu and Abia as the worst hit. From the angle of international law’s recognized “legitimate deaths” or deaths arising from battlefields’ combats between security forces and armed opposition groups (i.e. ESN/’Unknown Gunmen’), a total of 300 security operatives and 100 opposition armed men have lost their lives in the past 14 months.

It was our further investigative discovery that no fewer than 100 Igbo communities have been invaded by security forces in the past 14 months and caused not less than 1000 homes or dwelling houses to be raided and razed during which properties such as the land housing each of the buildings, the building structure, electronics and electrical appliances, chairs and house utensils, food items, economic trees, domestic animals, automobiles and other valuable items were destroyed or burnt to ashes or looted. From our conservative estimates, each house, its land and properties is worth not less than N35m, translating to N35billion for the estimated 1000 dwelling houses destroyed or burnt down. The remaining N5b arises from other outside-the-house properties destroyed or burnt down including market stores and their wares-totaling N40billion as total properties’ value lost in the hands of the Nigerian security forces particularly soldiers of the Nigerian Army and other branches of the Armed Forces.

4. Igbo Nation Target Of The Killings

The killings by Nigerian security forces had occurred mostly in Igbo-Christian parts of Eastern Nigeria including Imo, Rivers, Abia, Ebonyi, Anambra, Enugu and Akwa Ibom States as well as Delta and Cross River States which recorded the lowest number of deaths. Further breakdown indicates that the Nigerian security forces were specifically responsible for killing of at least 1000 defenseless citizens in the East in 2021 while Jihadist Fulani Herdsmen killed not less than 270 in the same 2021. The Nigerian Army had also between October and November 2020 killed not less 150 defenseless civilians in Obigbo (Oyigbo Local Government Area) and its environs in Rivers State implicating the accused **GOVERNOR WIKE** and abducted over 700 civilians; and out of the number, 418 have been independently located and freed. While no fewer than 110 defenseless citizens were killed in Obigbo and its environs, the remaining 40 deaths occurred in different secret Army custodies where the Obigbo abductees were secretly detained amidst torture and starvation. Another 100 abducted defenseless citizens were recently (in late November 2021) traced and discovered to have been dumped at Kaduna Prisons and Lock Centers, out of the number, five died. Over 40 of the over 700 abductees were also found to have been killed in various secret Army custodies.

In September 2017, IPOB was proscribed as a terrorist organization by a Nigerian court in an ex parte proceeding without notice or an opportunity to respond to the fact-free terrorism edict of co-conspirator Muhammadu Buhari. IPOB's proscription has been denounced by five human rights experts of the United Nations Human Rights Council in a letter to co-conspirator Buhari on October 1, 2020: Fionnuala Ni Aolain, Special Rapporteur on promotion and protection of human rights and fundamental freedoms while countering terrorism; Agnes Callamard, Special Rapporteur on extrajudicial, summary or arbitrary executions; Irene Khan, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Clement Nyaletsossi Voule, Special Rapporteur on the

rights to freedom of peaceable assembly and of association; and, Fernand de Varennes, Special Rapporteur on minority issues.

Among other things, the five human rights experts respectfully urged co-conspirator Buhari “to reconsider the proscription of IPOB as a terrorist group and address the legal concerns on regulation of assembly, freedom of expression, and due process outlined in this communication.” The experts reminded co-conspirator Buhari that, “[p]ursuing minority rights protection or the recognition of the existence of a minority...or even calls for self-determination do not on their own amount to terrorist activities.” Indeed, United Nations General Assembly Resolution 49/151 reaffirmed “the importance of the universal realization of the right of peoples to self-determination...,” a right fortified by Article 1 (1) of the International Covenant on Civil and Political Rights.

The accused **GOVERNOR WIKE** has used IPOB’s illegal proscription as a pretext for his complicity in genocide and crimes against humanity against Biafrans in Rivers State

CONCLUSION

The foregoing establishes the following:

1. There is a reasonable basis to conclude that **GOVERNOR EZENWO NYESOME WIKE** is guilty of genocide and crimes against humanity as defined in Articles 6 and 7 of the Rome Statute by complicity in an ongoing scheme to destroy or persecute Biafrans in Nigeria in whole or in part specifically because of their ethnicity, religion, or political opinion.

2. The Chief Prosecutor has a reasonable basis to proceed with an investigation of **GOVERNOR EZENWO NYSEOME WIKE** for genocide and crimes against humanity and should submit to the Pre-Trial Chamber a request for such authorization under Article 15, paragraph 3 of the Rome Statute.

Respectfully submitted,

/s/ Bruce Fein

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