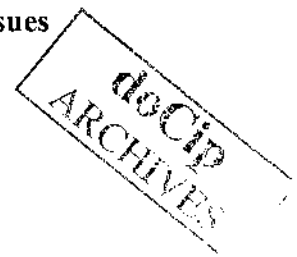


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**Third session of the United Nations Permanent Forum on Indigenous Issues  
United Nations Headquarters  
New York  
10-21 May 2004  
Item 4D-Human Rights**



Mr. Chairman,

Thank you for giving me the opportunity to address this august assembly. I am Legborisi Saro Pyagbara representing the Movement for the Survival of the Ogoni People (MOSOP).

One of the biggest human rights concerns of the Ogoni People today is the protection which we can all give to its activists in the face of the deteriorating human rights situation in Nigeria.

On November 10, 1995, the Nigeria government went ahead to hang the late Ken Saro Wiwa and eight other Ogoni activists on trumped up charges that were geared towards silencing the voice of protest that was gathering momentum in Ogoni and the Niger Delta.

Almost nine years after this dastard act, the Ogoni people are once again on the same familiar road as the present regime of General Obasanjo seemed more determined to crush any voice of dissent against his increasing descent into the club of civilian dictators.

On March 23, 2003, I was arrested at the Murtala Mohammed International Airport on my way to attend the 59<sup>th</sup> session of the United Nations Commission on Human Rights by officers of the State Security Service who questioned me on why the Movement for the Survival of the Ogoni People was sending me to the Commission at that point in time. This arrest came just barely a day after those suspected to be government agents made a failed attempt to assassinate the President of MOSOP, Mr Ledum Mitce who had then condemned the government over its poor handling of security and protection of lives of citizens in the wake of the high profile murder of an opposition politician, Dr. Marshall Harry.

The government's deadly fangs was further displayed against the Ogoni people when during the eight anniversary commemoration of the hanging of the Ogoni nine last November, security agents arrested and detained over one hundred Ogoni activists on the allegation that they participated in an unlawful assembly by taking part in the peaceful protest organized by MOSOP during the commemoration. Some are still standing trial in the court to this day.

The high point of government's high handedness was to be demonstrated on the eve of the last Commonwealth Heads of Government Meeting in Abuja, Nigeria where government officials threatened MOSOP leaders with death for daring to plan to use the

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period of the summit to show our discontent with the prevailing manner in which the government has been handling matters relating to the Ogoni People. The catalogue of abuses is indeed endless. Our right to Freedom of expression and assembly is continually being violated by the present civilian regime of Obasanjo.

In a related development, Mr Chairman, three years ago, the African Commission on Human and Peoples Rights returned a stunning decision on Communication 155/96 holding the Nigeria government accountable for the gross violations of the economic, social and cultural rights of the Ogoni People- the right to food, the right to health, the right to housing and right to a clean environment linked to operations of the multinational oil giant, Shell and made recommendations to the government for improvements in the situation of the Ogoni people.

In spite of its commitment to the African Charter, the government has consistently and like an article of faith refused to attend to the recommendations of this Commission and has recently hinged our benefiting from government development programmes only on our agreement that Shell Petroleum Development Company resumes oil exploration operations in Ogoni which the company abandoned many years ago. This is development racism.

### **Recommendations**

In the light of the foregoing; we recommend as follows;

1. That the United Nations Permanent Forum on Indigenous Issues and other organs of the United Nations break the conspiratorial silence on Nigeria and return its search light on the human rights situations in the country. This silence has led to high levels of impunity in Nigeria amongst government officials and security agents
2. That the Permanent Forum on Indigenous help to mount pressure on the Nigeria government to respect its International obligations especially as it relates to Right to Development of the Ogoni People.
3. That the United Nations General Assembly strengthen the monitoring capacity and mechanism of the Permanent Forum on Indigenous Issues to enable it intervene in critical situations affecting Indigenous Peoples in nation-states.

Thank you.

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