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Joint Statement by the Movement for the Survival of the Ogoni People (MOSOP)
and the National Youth Council of the Ogoni People (NYCOP)
4th Session of the U.N. Permanent Forum on Indigenous Issues
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Item 4-Human Rights
Madam Chairperson,

Thank you for giving me yet another opportunity to address this forum. I am Legborsi Saro Pyagbara

The situation of human rights and fundamental freedoms of Indigenous peoples all over the world remains precarious. To us in Ogoni and our brothers in the Niger Delta, the enjoyment of human rights is still a very distant luxury as we daily face the enormity of violations of all the fundamental human rights that the United Nations set out to protect over fifty years ago in our area. Our trees, our animals, our waters and the plains continue to fall under the devastating firepower of the violations of our fundamental human rights.

Madam Chairperson and members of this Forum, the year 2005 marks a special year for the Ogoni people, the peoples of the Niger Delta and lovers and protectors of the environment all over the world. This year marked the tenth year since the military establishment in Nigeria led by Gen. Sanni Abacha marched nine Ogoni sons including the charismatic Ogoni leader and defender of the environment, Ken Saro Wiwa that eerie morning of November 10, 1995 to the gallows where they were hanged for standing up to demand respect for the Indigenous rights of the Ogoni people and other Indigenous communities in the Niger Delta. That very violation of the highest human rights-The Right to life still continues in the Delta.

The collaborative flames of Shell that snuffed live out of Ken Saro Wiwa and fellow compatriots still dot the Niger Delta skyline till today. The mangrove trees for which Ken Saro Wiwa and others laid down their lives continue to be threatened by the flares of the oil companies and many had fallen to the toxicity of oil spills.

Following the hanging of Ken Saro Wiwa and co., the United Nations Secretary General, sent a Fact Finding team to Nigeria. The team visited Ogoni and made recommendations to the government, some of which include redress to the Ogoni People including financial relief to the survivors and assistance in improving the socio-economic conditions of the Ogoni people and the Niger Delta in general. Yet in the intervening years, nothing has happened to the recommendations. The Nigeria government has consigned the report and its recommendations to the dustbin of history. The same level of impunity has also been meted to the African Commission ruling in the case between the Nigeria government and the Ogoni people.

Distinguished members of this forum, will you continue to keep quiet while the Nigeria government go away with this level of brazen impunity that touches on the very relevance of this Forum to meet the aspirations of Indigenous peoples all over the world?

In two separate reports recently, the Nigeria government was condemned for the increasing violations of human rights of peoples in the Niger Delta by both state and non-state actors. In the report titled "**Nigeria: Are human rights in the pipeline**", *Amnesty International* accused the Nigerian government of failing to "rigorously protect human rights" in

the Niger Delta. This failure, the organization said, is fueling violations of civil, political, economic, social and cultural rights in the oil-rich area. The report examined human rights relating to the practices of some oil companies.

Speaking in the same vein, the Special Representative of the Secretary-General on Human Rights Defenders, who ended her visit to Nigeria about a week ago also condemned environmental damage in oil producing communities in the Niger Delta region, which according to her creates social difficulties and health problems. She also said that human rights group in the country are operating in a state of insecurity.

Madam Chairperson, between 2003 and 2004, not less than seventy Ogoni persons were arrested for their continuing insistence on the Nigeria government to address the questions that had been raised by the Ogoni Struggle. Within this period, I was arrested and detained twice by the government.

Similarly, the Rivers State government had embarked on the demolition and forced evictions of people from an area of Port Harcourt called the Agip Waterfronts. As the people were forcefully evicted, the government made no alternative provisions for them violating their rights to housing. About five thousand Ogoni people has been affected. A case of double displacement for people who have been earlier displaced from their homes in Ogoni during the military repression.

In this same vein, even the political rights of the Ogoni people are being denied them. They continue to suffer lack of participation in the political process because of the faulty electoral process in the country.

Madam Chairperson, in the light of these, we respectfully demand that:

1. The Permanent Forum, as a mark of solidarity with the suffering Indigenous Ogoni People on the tenth anniversary of the Commemoration of the hanging, requests the Nigeria government to clear the names of the Ogoni nine from the terrible crimes which were imputed to their names. In doing this, we are not demanding anything that is new. The present government has cleared the names of some people from the majority tribes who were falsely accused by the Abacha government. An example is Gen Shehu Musa Yar Adua who has gotten national edifices and monuments in his honour but Saro Wiwa and co. continue to suffer this indignity even in death because they are from a powerless Indigenous Community.
2. The Special Rapporteur on Indigenous Peoples issues an urgent alert to the Nigeria government on the deteriorating situation of human rights in the country and also the intense pressure on the Ogoni people and their neighbours in the Niger Delta.
3. The Permanent Forum request the government of Nigeria to stop the demolitions and forced evictions of people including about 5000 Ogoni people from the Agip Oil Water fronts in Port Harcourt and make arrangements for the resettlement of those whose homes have been demolished.
4. The Nigeria government and U.N. agencies give support to the Nigeria's Human Rights Commission to monitor the respect for Indigenous rights and to indigenous communities.
5. That the Nigeria government ends the militarization of the Niger Delta.

Thank you for listening.