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February 2, 2018

President Mohammodu Buhari G.C.F.R.  
Presidential Villa,  
Three Arms Zone,  
Abuja, FCT.

Your Excellency,

**REQUEST TO BRING BACK NATURALISED NIGERIANS, REFUGEES AND  
ASYLUM SEEKERS WHO WERE ILLEGALLY DEPORTED TO CAMEROON  
ON JANUARY 26, 2018 BY THE NATIONAL SECURITY ADVISER, MAJOR-  
GENERAL BABAGANA MONGUNO (RTD)**

We are solicitors to the 51 Cameroonian Refugees and Asylum Seekers who were illegally arrested, detained and deported from Nigeria to Cameroon on Friday, January 26, 2018 by the National Security Adviser, Major-General Babagana Monguno (rtd). We write this protest letter on behalf of our clients whose names and status are set out in the List of Deportees attached to this letter.

With respect, the facts and circumstances of the illegal deportation of our clients from Nigeria to Cameroon and the reckless violations of their fundamental rights by the National Security Adviser are hereby stated as follows:



1. Our clients are not illegal immigrants in Nigeria. Two of them are naturalized Nigerian citizens while others are recognized refugees and political asylum seekers in Nigeria.
2. Twelve of our clients who are the leaders of the people of Southern Cameroon and who have been living in Nigeria for several years were assembled for a meeting at Nera Hotel, Abuja on Saturday, January 6, 2018 to discuss the challenges faced by the over 10,000 Cameroonians who have sought political asylum in Nigeria due to persecution and repression under the Paul Biya regime in Cameroon.
3. But before the commencement of the meeting a team of armed security personnel invaded the venue, abducted our clients and took them away to an undisclosed place. The said abduction was reported by the Premium Times edition of Sunday, January 7, 2018.
4. In spite of the detailed report of the credible online news medium the Police and the security agencies denied knowledge of the abduction of our clients. Consequently, all efforts made by the lawyers, doctors and family members of our clients to visit them in custody were frustrated without any legal justification. Even Mrs. Nalowa Bih who is pregnant was denied medical attention by the National Security Adviser.
5. However, a representative of the Office of the United Nations Commissioner for Refugees in Nigeria was allowed to visit our clients at the request of the Ministry of Foreign Affairs. During the visit, the United Nations representative found that our clients were held in an underground cell at the headquarters of the Defence Intelligence Agency on the orders of the National Security Adviser.
6. On account of the refusal of the National Security Adviser to allow access to our clients by their lawyers, relatives and doctors we filed an application at the Abuja Judicial Division of the Federal High Court on Thursday, January 25, 2018 for the purpose of securing their fundamental rights to personal liberty and freedom of movement.



7. Notwithstanding the pending suit and the intervention of the Office of the United Nations Commissioner for Refugees, the National Security Adviser expelled our clients from Nigeria and deported them to Cameroon on Friday, January 26, 2018.
8. Although the National Security Adviser was ashamed to disclose the deportation of our clients from Nigeria the Government of Cameroon has celebrated the deportation and threatened to prosecute our clients for unspecified crimes. Thus, with the connivance of the National Security Adviser the Government of Cameroon has since held our clients in an undisclosed military custody in Cameroon.
9. Out of the 51 people who were expelled from Nigeria the Government of Cameroon has maintained that the National Security Adviser handed over to it 47 deportees. Up till now, the National Security Adviser has not accounted for the whereabouts of the remaining 4 detainees!

Your Excellency will therefore agree with us that the arrest, detention and deportation of our clients from Nigeria to Cameroon by the National Security Adviser cannot be justified on the following grounds:

- a. Based on the appeal by Nigeria for a peaceful resolution of the political crisis in Cameroon the people of Southern Cameroon filed a suit at the Federal High Court to determine whether the people of Southern Cameroon are not entitled to self-determination within their clearly defined territory separate from La Republique Du Cameroun.
- b. By a consent judgment delivered by the Court on March 5, 2002, the Federal Government was directed to file a suit at the International Court of Justice to have a judicial confirmation of the human right of the people of Southern Cameroon to self determination. Attached herewith and marked annexure A is a certified true copy of the judgment.
- c. The Federal Government also undertook to take other measures as may be necessary to place the case of the people of Southern



Cameroon for self determination before the United Nations General Assembly and other international organizations.

- d. Even though the suit has not been filed at the International Court of Justice the Federal Government has continued to recognize the human rights of our clients and other people of Southern Cameroon to self determination.
- e. The National Security Adviser knew that two of our clients are naturalized Nigerians, six are refugees while 37 others are political asylum seekers who are entitled to be protected by the Federal Government of Nigeria. For the avoidance of doubt, the Office of the United Nations Commissioner for Refugees in Nigeria drew the attention of the National Security Adviser to the legal obligations of Nigeria to respect the rights of our clients.
- f. Under the National Security Agencies Act (Cap N74) Laws of the Federation of Nigeria, 2004 and the Immigration Act 2015 the National Security Adviser is not competent to arrest, detain and deport any alien or immigrant from Nigeria to any other country.
- g. The Minister of Interior in charge of immigration and related matters as well as the Federal Commissioner for Refugees empowered to safeguard the interest and treatment of persons who are seeking to become refugees or persons seeking political asylum in Nigeria and other matters incidental thereto were not consulted by the National Security Adviser before the deportation.
- h. The Secretary to the Government of the Federation who is charged with the responsibility for matters relating to refugees or refugee status by Section 2 of the National Commission for Refugees ( Establishment Etc) Act and the Attorney-General of the Federation in charge of extradition were also not consulted by the National Security Adviser before the deportation.
- i. By virtue of Section 1 of the National Commission for the Refugees etc Act (Cap N21) Laws of the Federation of Nigeria, 2004 the



Government of Nigeria has prohibited the expulsion, extradition or deportation of any person who is a refugee to the frontiers of any territory where -- (a) his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular group or political opinion; or (b) his life, physical integrity or liberty could be threatened on account of external aggression, occupation, foreign domination or events seriously disrupting public order in any part or the whole of that territory."

- j. The human right of any person in Africa to enter Nigeria, reside, seek and obtain asylum has been guaranteed by Article 12 (3) of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act. (CAP 10) laws of the Federation of Nigeria, 2004 which provides that "every individual shall have the right, when persecuted to seek and obtain asylum in other countries in accordance with the laws of those countries and international conventions."
- k. The Federal Republic of Nigeria is a signatory to the 1951 United Nations Convention Relating to the Status of Refugees and the 1969 Organization of African Unity Convention on Refugees and the African Charter on Human and Peoples Rights which have guaranteed the rights of refugees and asylum seekers in Nigeria.

Since the Government of Nigeria has never violated the provisions of the United Nations Convention Relating to Refugees and the OAU Convention on Refugees by deporting refugees and asylum seekers to any country where they might be persecuted we are compelled to urge Your Excellency to grant the following requests:

1. Order the National Security Adviser to produce the missing 5 deportees and bring back to Nigeria our clients who have been deported to Cameroon without any further delay.
2. If the National Security Adviser is unable to bring back our clients to Nigeria he should be removed from office for the brazen impunity

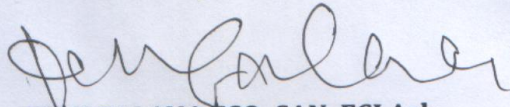


which has exposed Nigeria to ridicule before the comity of law abiding nations.

3. The Federal Government should prevail on the Government of Cameroon not to persecute our clients so as to prevent the United Nations from sanctioning Nigeria for violating the provisions of the 1951 United Nations Convention Relating to Refugees.

Please, Your Excellency, accept, as usual, the assurances of our highest esteem and regards.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Femi Falana', written in dark ink.

**FEMI FALANA ESQ, SAN, FCI Arb.**



**IN THE FEDERAL HIGH COURT  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT ABUJA.**

SUIT NO. FHC/ABJ/CS/30/2002

BETWEEN

- 1. DR. KEVIN NGWANG GUMNE )
- 2. AUGUSTINE FEH NDANGAM )
- 3. CHIEF ETE OTUN AYAMBA )
- 4. PROF. VICTOR MUKWELE NGOH )
- 5. DR. MARTIN NGEKA LUMA )
- 6. NFOR NGALA NFOR )
- 7. HILTER HUMPHREY MBINGLO )
- 8. DOBGIMA HENRY K. MUNDAM )
- 9. SIMON NINPA )
- 10. SHEY TAFON )
- 11. PAUL YIWIWIR )
- 12. ISAAC SONA )

(For themselves and on behalf of the peoples of Southern Cameroon)

CERTIFIED TRUE COPY  
FEDERAL HIGH COURT  
ABUJA

Signature: *[Signature]*

Date: 5-3-2002

PLAINTIFF(S)

FEDERAL HIGH COURT  
ABUJA

Cashier's Office

Date: 05/3/2002

PAID ON CR NO  
Z 002161047

AND

ATTORNEY GENERAL OF THE FEDERAL REPUBLIC OF  
NIGERIA )

DEFENDANT(S)

TERMS AGREED BY THE PARTIES TO BE EMBODIED IN  
THE ORDER OF THE COURT

TAKE NOTICE that the parties hereto have agreed to the terms contained in the subjoined schedule and pray this court to stay further proceedings in this suit upon the said Terms. [Draft Order attached]

SCHEDULE

1. The Federal Republic of Nigeria shall institute a case before the International Court of Justice concerning the following:
  - (a) Whether the Union envisaged under the Southern Cameroons Plebiscite 1961 between La Republique Du Cameroun and Southern Cameroons legally took effect as contemplated by the relevant United Nations Resolutions particularly United Nations General Assembly Resolution 1352 (XIV) of 16<sup>th</sup> October 1959 and United Nations Trusteeship Council Resolution 2013 (XXIV) of 31<sup>st</sup> May 1960.
  - (b) Whether the termination by the Government of the United Kingdom of its trusteeship over the Southern Cameroons on 30<sup>th</sup> September 1961 without ensuring prior implementation of the Constitutional arrangements under which the Southern Cameroons and La Republique Du Cameroun were to unite as one Federal State was not in breach of Articles 3 and 6 of the Trusteeship Agreement for the Territory of the Cameroons under British Administration approved by the General Assembly of the United Nations on 13<sup>th</sup> December 1946, the United Nations General Assembly Resolutions 1352 of 16<sup>th</sup> October 1959; 1608 of 21<sup>st</sup> April 1961, the United Nations Trusteeship Council Resolution 2013 (XXIV) of May 31 1960 and Article 76 (b) of the Charter of the United Nations.
  - (c) Was the assumption of Sovereign Powers on 1<sup>st</sup> October 1961 and the continued exercise of same by the Government of La Republique Du Cameroun over Southern Cameroons after the termination by the Government of the United Kingdom of its Trusteeship over (territory) legal and valid when the Union between the Southern Cameroons and La Republique Du Cameroun contemplated by the Southern Cameroons Plebiscite 1961 had not legally taken effect?

FEDERAL HIGH COURT  
ABUJA

Cashier's Office

Date: 03/3/2002

PAID ON CR NO  
Z 002161036




- (d) Whether the peoples of Southern Cameroons are not entitled to self-determination within their clearly defined territory separate from La Republique Du Cameroun.
- (c) Whether it is the Southern Cameroons and not La Republique Du Cameroun that shares a maritime boundary with the Federal Republic of Nigeria.
2. The Federal Republic of Nigeria shall take any other measures as may be necessary to place the case of the peoples of the geographical territory known as at 1<sup>st</sup> October 1960 as Southern Cameroons for self determination before the United Nations General Assembly and any other relevant International organizations.

Dated at Abuja this 5<sup>TH</sup> day of MARCH 2002

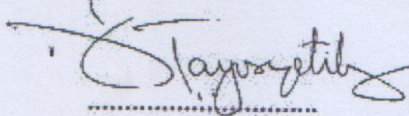
PLAINTIFFS' COUNSEL

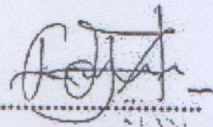
DEFENDANT'S COUNSEL

1.   
KOLA AWODEIN S.A.N

F. K. BEBU ESQ

2.   
CHIEF K.K. ASU

3.   
TAYO OYETIBO ESQ

4.   
IBUKUN AJOMO ESQ



### LIST OF DEPORTEES

S/No	Name	Sex	Age	Nationality
1	Dr. Cornelius Kwanga	M	47	Cameroonian
2	Dr. Nfor Ngala Nfor	M	66	Cameroonian
3	Elias Eyambe Esq	M	49	Cameroonian
4	Shufai Blaise Berinyu	M	51	Cameroonian
5	Mrs. Nalowa Bih Esq	F	53	Cameroonian
6	Mr. Julius Ayuk Tabe	M	53	Cameroonian
7	Professor Augustine Awasom	M	50	Cameroonian
8	Dr. Henry Kimeng	M	50	Cameroonian
10	Dr. Ojong Okongo	M	58	Cameroonian
11	Dr. Fidelis Nde Che	M	47	Cameroonian
12	Mr. Wilfred Tassang	M	48	Cameroonian
13	Mrs. Winifred Augustine	F	52	Nigerian
14	ThankGod Genesis	M	21	Nigerian
15	Nasiru Bah	M	23	Nigerian
16	Tita Tebio	M	32	Cameroonian
17	Bame Emanuel	M	21	Cameroonian
18	Casius Lenzemo	M	30	Cameroonian
19	Nangsiyung Christian	M	22	Cameroonian
20	Nynyki Ernest	M	27	Cameroonian
21	Elvis Fonyun	M	24	Cameroonian
22	Romeon Sevidee	M	25	Cameroonian
23	Wired Zenyuy Leonard	M	27	Cameroonian
24	Amos Bentar	M	28	Cameroonian
25	Lontun Wilfred	M	21	Cameroonian
26	Ahmadu Hassan	M	25	Cameroonian
27	Adones Martin	M	21	Cameroonian
28	Lukong Abdullahi	M	43	Cameroonian
29	Edwin Dubila	M	24	Cameroonian
30	Yiven Emmanuel	M	24	Cameroonian
31	Franklin Emia	M	24	Cameroonian
32	Demian Bongbem	M	22	Cameroonian
33	Salah Edmond	M	22	Cameroonian
34	Nwanyam C. Sumgwa	M	23	Cameroonian
35	Kidze Telson Tanlaka	M	17	Cameroonian
36	Tukon Devine	M	26	Cameroonian
37	John Nkwah	M	19	Cameroonian
38	Anifakah Kiven	M	19	Cameroonian
39	Katat Ezekiel	M	32	Cameroonian
40	Peniel Teri	M	20	Cameroonian
41	Ngoram Emile	M	28	Cameroonian
42	Nyefeh Boris	M	23	Cameroonian
43	Muhammadu Rabiu Audu	M	38	Cameroonian
44	Joseph Bongumnyi	M	23	Cameroonian



45	Pius Ngoran	M	33	Cameroonian
46	Ashime Brown	M	23	Cameroonian
47	Lukong Abdulrahaman	M	34	Cameroonian
48	Fon Stanley	M	23	Cameroonian
49	Sekeh Mulligan	M	26	Cameroonian
50	Nsoye Ignatius	M	22	Cameroonian
51	Voman Romarious	M	25	Cameroonian
52	Zakariyau Nsavolzenyuy	M	30	Cameroonian