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Authority NND 969 000.

By DS NABA Date 3/16/98

Department of State

1 FRA-NIGERIA

~~SECRET~~TELEGRAM  
ACTION COPY0 241650Z OCT 69  
FM AMEMBASSY ABIDJAN  
TO SECSTATE WASHDC IMMEDIATE 4706  
BT

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~~SECRET~~ ABIDJAN 3001

5735Q

~~NOFORN~~

OCT 24 8:00PM 1969

SUBJ: NIGERIA/BIAFRA

REF: ABIDJAN 3000

REPLY TO THE GUARANTEE FORMULAR PROPOSED BY THE UNITED STATES GOVERNMENT.

THE GOVERNMENT OF THE REPUBLIC OF BIAFRA HAS CONSIDERED THE GUARANTEE FORMULA WHICH THE U.S. GOVERNMENT PROPOSES TO OFFER WITH REGARD TO DAY-LIGHT RELIEF FLIGHTS. THE BIAFRAN GOVERNMENT WISHES TO EXPRESS ITS APPRECIATION FOR THIS GESTURE BY THE U.S. GOVERNMENT WHICH IS IN THE TRUE HUMANITARIAN TRADITION OF THE UNITED STATES AND IN ACCORD WITH THE POLICY OF NEUTRALITY WHICH THE GOVERNMENT HAS ADOPTED IN THE CONFLICT BETWEEN BIAFRA AND NIGERIA. HOWEVER, THE BIAFRAN GOVERNMENT WISHES TO MAKE THE FOLLOWING OBSERVATIONS IN THE LIGHT OF WHICH IT FINDS IT IMPOSSIBLE TO ACCEPT THE GUARANTEE FORMULA:

1. THE BIAFRAN GOVERNMENT WISHES TO POINT OUT THAT SINCE THE SHOOTING DOWN BY THE NIGERIAN AIR FORCE OF AN I.C.R.C. RELIEF PLANE ON JUNE 5, THE QUANTITY OF RELIEF REACHING BIAFRA HAS BEEN HALVED. WHILE THE JOINT CHURCH AID HAS BEEN FLYING IN RELIEF SUPPLIES AT NIGHT AS USUAL THE I.C.R.C HAS CEASED OPERATION AND HAS BEEN ENGAGED IN PROTRACTED NEGOTIATIONS AIMED AT OPENING DAY-LIGHT FLIGHTS. IT MIGHT HAVE BEEN EXPECTED THAT THE ACTION OF NIGERIA IN SHOOTING DOWN A RED CROSS PLANE IN DAY-LIGHT WOULD HAVE BEEN UNIVERSALLY CONDEMNED AND EFFORTS DIRECTED AT RESTORING THE STATUS QUO ANTE. THE ACTION OF STOPPING THE FLIGHT ENTIRELY CANNOT BUT BE REGARDED AS AN ATTEMPT TO CONDONE NIGERIA'S CRIME AND ENCOURAGE HER TO MORE ACTS OF LAWLESSNESS.

2. BIAFRA HAD ALWAYS INSISTED THAT IN ORDER TO OPEN ULI AIRPORT, HER ONLY LINK WITH THE OUTSIDE WORLD, TO DAY-LIGHT FLIGHTS WHICH WOULD EXPOSE THE AIRPORT TO EFFECTIVE ATTACK BY NIGERIA SHE MUST HAVE GUARANTEES FROM A THIRD PARTY GOVERNMENT OR AN INTERNATIONAL BODY OF A POLITICAL CHARACTER. THIS REQUEST HAS BEEN MADE BECAUSE OF A BASIC LACK OF CONFIDENCE IN THE GOOD FAITH OF THE NIGERIAN REGIME - A LACK OF CONFIDENCE ARISING

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E.O. 12958, as amended  
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FROM SUCH INCIDENTS AS (A) THE SEIZURE OF THE UTURU (OBLIGAGU) RELIEF AIR-FIELD, (B) THE COLD-BLOODED MURDER OF EXPATRIATE AND BIAFRAN RELIEF WORKERS AT OKIGWI AND (C) THE DELIBERATE BOMBING OF HOSPITALS AND SICK-BAYS MARKED WITH THE RED CROSS SIGN. SUCH A GUARANTEE, OF COURSE, MUST CARRY CREDIBLE SANCTIONS AGAINST NIGERIA IF IT IS TO BE A DETERRENT. UNDERSTANDABLY, IT HAS NOT BEEN POSSIBLE FOR THE I.C.R.C. TO OBTAIN SUCH A GUARANTEE TO COVER ITS OPERATIONS. BIAFRA, HOWEVER, IS BEING INSISTENTLY PRESSED TO PERMIT DAY-LIGHT RELIEF FLIGHTS MERELY ON THE BASIS OF ASSURANCES GIVEN BY THE NIGERIAN REGIME.

3. AT THE DISCUSSION IN LIBREVILLE ON SUNDAY, OCTOBER 19TH 1969, BETWEEN SIR LOUIS MBANEFO AND AMBASSADOR FERGUSON IN THE PRESENCE OF HIS EXCELLENCY, THE PRESIDENT OF GABON, THE POINT WAS MADE THAT SINCE THE CONTENTION OF NIGERIA WAS THAT I.C.R.C. PLANES CARRIED ARMS INTO BIAFRA, THE PROPOSAL FOR INSPECTION BY A NEUTRAL BODY AND A REPRESENTATIVE OF NIGERIA WOULD HAVE ALLAYED FURTHER FEARS. AMBASSADOR FERGUSON REPLIED THAT NIGERIA NO LONGER PRETENDED THAT THESE RELIEF PLANES CARRIED ARMS. ON THE CONTRARY, THEY ARGUED THAT THESE PLANES PROVIDED A COVER FOR THE ARMS FLOWN IN FOR THE DEFENCE OF BIAFRA. FROM THIS IT FOLLOWED THAT IT WAS NECESSARY TO SEPARATE THE RELIEF FROM THE ARMS PLANES. IT IS CLEAR, THEREFORE, THAT THE ISSUES OF RELIEF AND THE NATIONAL SECURITY OF BIAFRA ARE INEXTRICABLY INTERWOVEN. IN THE LIGHT OF THE PRESENT ATTITUDE OF NIGERIA IT MUST NOW BE RECOGNIZED THAT THE QUESTION OF GUARANTEES FOR DAY-LIGHT RELIEF FLIGHTS HAS CEASED TO BE RELEVANT.

4. HERE IT MUST BE RECALLED THAT NIGERIA IMPORTS LARGE QUANTITIES OF ARMS WITH WHICH SHE IS WAGING A VICIOUS WAR AGAINST THE PEOPLE OF BIAFRA. AT THE SAME TIME SHE RECEIVES MASSIVE RELIEF SUPPLIES FROM VARIOUS SOURCES. IT HAS NEVER BEEN SUGGESTED THAT THESE RELIEF SUPPLIES MUST BE SEPARATED FROM THE ARMS SHIPMENTS NOR HAS THE MEANS OF ACHIEVING THIS BEEN DISCUSSED. INDEED, NEARLY A THOUSAND VEHICLES HAVE BEEN IMPORTED BY RELIEF ORGANISATIONS INTO NIGERIA AND THESE HAVE BEEN PLACED AT THE DISPOSAL OF THE NIGERIAN GOVERNMENT AND ITS AGENCIES WITHOUT ANY RESTRICTION AS TO THEIR USE. IF BIAFRA ACCEPTS DAY-LIGHT FLIGHTS AS PROPOSED SHE WOULD BE LAYING HERSELF OPEN FOR DESTRUCTION IN ORDER THAT SHE MAY RECEIVE RELIEF.

5. THE BIAFRAN GOVERNMENT PROPOSES TO THE U.S. GOVERNMENT THAT EVERY EFFORT SHOULD BE MADE TO MAXIMISE THE EXISTING FACILITIES AVAILABLE FOR BRINGING RELIEF INTO BIAFRA WHICH DOES NOT ENDANGER THE SECURITY OF BIAFRA OR OFFER OVERWHELMING MILITARY ADVANTAGE TO NIGERIA. SECONDLY, SINCE IT SEEMS THAT THE I.C.R.C. NOW FINDS ITSELF BOUND BY CERTAIN LEGAL AND POLITICAL DISABILITIES FROM FLYING RELIEF BY NIGHT NO OTHER ORGANISATIONS OR AGENCIES THAT ARE NOT SO BOUND SHOULD BE ENCOURAGED TO OPERATE RELIEF FLIGHTS INTO BIAFRA TO SUSTAIN THE I.C.R.C. OPERATIONS IN THE FIELD.

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6. FINALLY, THE UNITED STATES GOVERNMENT, IN COLLABORATION WITH OTHER PEACE-LOVING HUMANITARIAN ORGANISATIONS, SHOULD APPEAL FOR A TRUCE ON LAND AND IN THE AIR LASTING EVEN FOR ONE WEEK DURING WHICH RELIEF CAN BE BROUGHT IN ON A MASSIVE SCALE TO THE SUFFERING PEOPLE OF BIAFRA.

THE BIAFRAN GOVERNMENT WISHES TO EXPRESS ITS GRATITUDE TO THE GOVERNMENT AND PEOPLE OF THE U.S. FOR THE VERY CONSIDERABLE AID THEY HAVE GIVEN TO RELIEF OPERATIONS IN BIAFRA.

SIGNED (S.J.S. COOKEY), COMMISSIONER, SPECIAL DUTIES, 21/10/69  
GP-4.

MORGAN

BT

NODIS REVIEW

<b>Cat. A</b>	Caption removed: transferred to O/FADRC
<b>Cat. B</b>	Transferred to O/FADRC with additional access controlled by S/S
<b>Cat. C</b>	Caption and custody retained by S/S

Reviewed by: Ambassador W. Witman, II  
Date: 3/25 1975

*re: b*

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E.O. 12958, as amended

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