

NND 96 9042
By fst Date 2 June '98

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TELEGRAM

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ACTION: AFT-19

INFO: OCT-01 EUR-20 SS-20 PM-05 L-04 NSC-10 CIAE-00 INR-08

NSAE-00 RSC-01 VO-04 SCA-01 PRS-01 RSR-01 1095 W

019779R: 291624Z APR 71
FM: AMEMBASSY LAGOS
TO: SECSTATE WASHDC 9574
INFO: AMEMBASSY LISBON

C: DCM: DEPT OF STATE LAGOS 3902

SUBJECT: FMG: PROTESTS MOJEKWI VISA

REF: STATE 060226

1. DEPUTY PERMSEC EXTERNAL AFFAIRS, B. A. CLARK, CALLED IN DCM TODAY AND SAID HE WAS "UNDER INSTRUCTIONS FROM MY COMMANDER IN CHIEF" TO EXPRESS TO EMBASSY FMG UNHAPPINESS OVER US DECISION TO ISSUE VISA TO D. C. MOJEKWI, PROMINENT EX-BIAFRAN OFFICIAL. CLARK SAID HE WANTED US TO KNOW GEN. GOWON FELT "PERSONALLY VERY OFFENDED" SINCE AMBASSADOR IYALLA HAD MADE SUCH HIGH-LEVEL APPROACH TO DEPARTMENT ON THIS IMPORTANT CASE AND FMG PLEA WAS TURNED DOWN.

2. DCM ASKED WHETHER EXTAFF HAD RECEIVED REPORT FROM IYALLA OF HIS CONVERSATION APRIL 6 WITH SECRETARY ROGERS. ACKNOWLEDGING REPORT HAD BEEN RECEIVED CLARK SAID IT RAISED QUESTION IN VIEW OF SECRETARY'S DESCRIPTION OF LIMITED POWERS OF DEPARTMENT TO EXCLUDE OR DEPORT MOJEKWI WHETHER MOJEKWI COULD BE OBLIGED TO LEAVE U.S. AT END OF ONE ACADEMIC YEAR. DCM WENT OVER APOUNTS COVERED IN PARAS 5, 6 AND 7 OF REFTEL AND EXPLAINED SECRETARY COULD NOT LEGALLY GIVE CATEGORICAL ASSURANCE TO FMG THAT MOJEKWI WOULD HAVE TO LEAVE US AT END OF ACADEMIC YEAR. ALSO EXPLAINED AT LENGTH PHILOSOPHY BEHIND US IMMIGRATION AND VISA PRACTICE AND EFFECT OF RECENT COURT DECISIONS WHICH TENDED TO REDUCE AUTHORITY OF FEDERAL GOVERNMENT TO EXCLUDE POLITICALLY UNDESIRABLE ALIENS WHO OTHERWISE MET REQUIREMENTS OF OUR

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PA/HO Department of State
E.O. 12958, as amended
April 21, 2005

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LAWS. CLARK SAID IT WAS HARD FOR EVEN SOME ONE LIKE HIMSELF WHO HAD LIVED IN U.S. TO UNDERSTAND WHY USG HAD LEFT ITSELF APPARENTLY POWERLESS IN SUCH CASES.

3. DCM SAID HE HOPED IF FMG HAD ANY INFORMATION THAT MOUEKWU IS VIOLATING HIS STRICT STATUS AS STUDENT IT WOULD LET US KNOW.

HE ADDED EMBASSY HAD ANTICIPATED EMBARRASSMENT ISSUING OF VISA COULD PROVOKE FOR BOTH USG AND FMG AND HAD RECORDED ITS ADVICE AGAINST ISSUANCE. HE HOPED FMG WOULD UNDERSTAND MATTER WAS FINALLY DECIDED, HOWEVER UNHAPPILY, IN ACCORDANCE WITH LAW AND APPLICABLE PRECEDENTS AND SHOULD NOT BE TAKEN AS EVIDENCE OF ANY RESIDUAL PRO-BIAFRAN SENTIMENT IN USG.

COMMENT:

4. THIS IS FIRST RPT FIRST TIME EXTERNAL AFFAIRS (OR ANY OTHER ELEMENT OF FMG) HAS DISCUSSED THIS MATTER WITH EMBASSY.

5. WHILE WE DO NOT NECESSARILY ATTACH GREAT SIGNIFICANCE TO IT, IT IS INTERESTING TO NOTE THAT CLARK IN HIS DEMARCHE DID NOT RPT NOT REITERATE POINT MADE BY IYALLA (PARA 3 REFTEL) THAT "GOWON'S POSITION VIS-A-VIS ANTI-AMERICAN ELEMENTS WITHIN NIGERIA HAD NOW BEEN WEAKENED AND IT WOULD BE HARDER FOR HIM TO COUNSEL MODERATION AS HE HAD IN PAST WHEN FUTURE BILATERAL ISSUES ARISE WITH THE U.S.". GP-3.

TRUEHEART

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