



Tuesday 29th January 2019

Mr. Paul Usoro SAN
President, Nigerian Bar Association (NBA)
NBA House, Plot 1101
Muhammed Buhari Way, Cadastral Zone, Central Business District
Abuja, Nigeria

Dear President,

Re: Letter of solidarity from the Pan African Lawyers Union (PALU)

The leadership, and indeed the members, of the Pan African Lawyers Union (PALU) write to express full solidarity with the National Executive Committee (NEC) and the members of the Nigerian Bar Association (NBA) and the people of this Nigerian at this perilous time in your country.

Like you, we were filled with disbelief and dismay when we received news of the purported suspension of the Chief Justice of Nigeria, Honorable Mr. Justice Walter S. C. Onnoghen, GCON by H.E. President Muhammadu Buhari, GCFR and the swearing in of Hon. Justice Ibrahim Tanko Mohammed as the Acting Chief Justice of Nigeria. While we profess no prowess in the constitutional law and practice of the Federal Republic of Nigeria, a cursory reading of the 1999 Constitution of the Federal Republic of Nigeria (as amended) make it amply clear that H.E. President Buhari's actions have blatantly violated the constitutional provisions that relate to investigation, prosecution or removal of a Chief Justice or other apex judicial official. His action is also in violation of several existing Orders of the Federal High Court and the Court of Appeal.

We are perturbed that these actions of the Presidency amount to a constitutional crisis at best, and an overthrow of the Constitution at worst. This is even more alarming as your country heads to an important quadrennial constitutional event: your General Elections, in less than one month. The impugned actions violate the express provisions of several laws of the Economic Community of West African States (ECOWAS) and the African Union (AU), amongst others. Bearing in mind the important and central position of the Federal Republic of Nigeria in West Africa and in the continent of Africa as a whole, these actions are also tantamount to a serious regional crisis and continental dilemma. We therefore condemn in the strongest terms all violations of the law, especially by the Presidency.

We have noted the Resolutions of the Extraordinary Meeting of your National Executive Committee (NEC) held yesterday, Monday 28th January 2019, and we assure you of our support as you implement those decisions and as you work for the just rule of law in your country, region and our continent.

Notwithstanding our unwavering support as stated above, we nonetheless directly call upon: -



1. The Executive Arm of Government, headed by H.E. President Muhammadu Buhari, GCFR to immediately reverse the unlawful actions, revert the country to a path of constitutionalism, and avert the looming political crisis
2. The Legislative Arm of Government to become seized of the matter, and take the necessary actions to purge the illegalities and steer the country back to normalcy in the shortest time possible
3. The relevant organs, institutions and mechanisms of the Economic Community of West African States (ECOWAS) and the African Union (AU), especially the respective Panels of the Wise, to immediately intervene and engage the leadership and people of Nigeria in this matter.

We stand ready to assist with any requests that you may make of us; and will also confer with you to make suggestions on any measures we could take that could be helpful, including, although not limited to, outreach to the relevant organs, institutions and mechanisms of the Economic Community of West African States (ECOWAS) and the African Union (AU).

In particular, we will shortly engage the Office of the Legal Counsel of the African Union on the implications of the impugned actions on States-Parties' obligations under the African Charter on Democracy, Elections and Governance, which the Federal Republic of Nigeria signed on 2nd July 2007, ratified on 1st December 2011, and deposited its instrument of ratification with the Chairperson of the African Union Commission on 9th January 2012.

Yours sincerely,

Emeka J. P. Obegolu
President, Pan African Lawyers Union (PALU)

cc Mr. Jonathan Gunu Taidi, Esq.
General Secretary, Nigerian Bar Association (NBA)
Abuja, Nigeria

Mr. Donald Deya
Chief Executive Officer, Pan African Lawyers Union (PALU)
Arusha, Tanzania