

POL 27-9 BIAFRA-NIGERIA

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By Caf NARA Date 3/10/98

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129331

Origin
Info

ACTION: Amembassy LAGOS IMMEDIATE
ACTION: Amembassy LONDON ~~IMMEDIATE~~
INFO: Amembassy ADDIS ABABA
~~Amembassy LONDON~~
Amembassy PARIS
Amembassy THE HAGUE
US Mission GENEVA
USUN

STATE _____

LIMDIS

FOR EARLY A.M. DELIVERY

SUBJ: Nigeria: ICRC Flights

REF: a) State 129202, b) State 129212, c) Lagos 6969

1. While we disappointed that UKHicomer considers ICRC note so negative from standpoint FMG interests, we still believe, as stated in opening paragraphs of refs a and b, that it could provide framework to which addition of details could serve interests of both sides. Embassy Lagos is Accordingly, ~~Embassy Lagos~~ requested to arrange appointment with Arikpo at earliest opportunity, even though text of ICRC note may not have reached Lagos. In course of ~~xxx~~ discussion with Arikpo, you should not take position as advocate of ICRC proposal and should specifically ~~xxx~~ state that US had no hand in its formulation. However, it is consonant with our policy, of which FMG should be well aware, to be friendly counselor

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and U/CF - S. Schott *Handwritten initials*

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

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against hasty negative action before cool and searching FMG study of possibilities inherent in ICRC note.

2. In addition to your earlier instructions (ref a) you should point out to Arikpo aspects of ICRC note which in our view represent concessions to FMG views. These include:

a) Daylight flights.

b) Flights under certain FMG controls, such as prescribed routes, prior notification, and monitoring.

c) Right to request ~~xxx~~ observers to accompany flights.

d) Undoubtedly some form of FMG participation in inspection.

3. If questioned, you can state that text of note does not appear exclude touchdown on FMG territory. However, we know touchdown of fully loaded plane presents serious problem of maintenance of aircraft. Perhaps some other form of symbolic touchdown could be elaborated with ICRC.

4. FYI: We understand FMG proposals were discussed by Freymond with Cooley and Obi in Geneva ~~xx~~ and that they rejected them, indicating they acting officially and with authorization (would appreciate Geneva confirming, and expanding if possible). END FYI

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5. a. As stated para 5, ref b, Dept. does not repeat not consider that note ignores article 23. Term "technical arrangements" is itself uncertain in meaning. It does not necessarily apply all aspects ~~xx~~ any given relief operation, but might be interpreted mean technical aspects actual operation, e.g., identification codes, air corridor (height, latitude, longitude), hours of operation. Inspection is not necessarily a "technical arrangement." In absence interpretation based on convention documentation, convention appears unclear and subject varying interpretations.

b. ~~xxxx~~ Article 22 offers little help in present situation since it refers only to classic medical relief role of ICRC:

"Aircraft exclusively employed for the removal of wounded and sick infirm ~~xxxx~~ civilians, the ~~xxxxxx~~ and maternity cases, or for the transport of medical personnel and equipment, shall not be attacked, but shall be respected while flying at heights, times and on routes specifically agreed upon between all the ~~xxxxxxx~~ parties to the conflict concerned."

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Info:

6. FOR LONDON: In light UKHicomer Lagos strongly negative report,
him
it unlikely UKG would issue instructions to ~~UKHicomer~~ along lines
State 129202, Para 3. However, Embassy should discuss foregoing with
FonOff and emphasize need for statesmanlike FMG response to ICRC note.
Report results such discussion.

END

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