



GOVERNMENT OF BIAFRA
de facto customary

Governance Code

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de facto customary (GoB dfc)

Governance Code (GC)

THE INTERIM LEGISLATIVE ORGAN_ OF THE GOVERNMENT OF BIAFRA
By virtue of the recommendation of the Pro Biafra Group Reconciliation Committee of Saturday 13 March 2021 on the formation of Biafra De Facto Customary Government (BDFCG) Implementation Committee for the restoration of the Republic of Biafra;

In view of the outcome and recommendation of the Biafra De Facto Customary Government (BDFCG) Implementation Committee of Saturday 26 June 2021 in pursuant of the establishment of **DE FACTO STATUS OF THE GOVERNMENT OF BIAFRA**

APPROVES

Government of Biafra Governance Code as provided in this text with the understated headings, subheadings, parts, titles, sections, articulated elements and transitional norms.

FUNDAMENTAL PRINCIPLES

Article 1

1.1. Government of Biafra *dfc* heretofore also referred as Government of Biafra shall be a democratic organism, founded on human millennial values of freedom and justice.

1.2. Sovereignty belongs to Biafran citizens

1.3 Government of Biafra *dfc* shall be timeframed in the forms and within the limits of GC.

Article 2

Government of Biafra recognizes and guarantees inviolable rights of human person in the individual and social form of human existence, and demands the fulfillment of the fundamental duties of social, political and economic solidarity.

Article 3

Citizens shall have equal social dignity and are equal before the law, without distinction as to sex, race, language, religion, political opinions, personal or social condition. It shall be the duty of the government to remove those obstacles of individual, social and economic form that limit the freedom and justice to citizens, impede the full development of the human person and the effective participation of citizens in the political, economic and social organization of the country.

Article 4

4.1. There shall be the right to dual citizenship.

4.2. First generation and descendants of African diaspora worldwide – those in the continents of America and Europe have natural rights to Biafran citizenship on request as shall be established by legislative act.

4.3. Citizenship shall be by inheritance, natural acquisition, conferrance by birth and honour in accordance to legislative acts.

Article 5

Government of Biafra recognizes and promotes Provincial autonomies with Municipalities and Wards; implements services that depend on the State and accords the principles and methods of its legislation to the requirements of autonomy and decentralization.

Article 6

Government of Biafra shall safeguard family values of her citizens.

Article 7

7.1. The Government of Biafra shall take initiatives to reaffirm, regain and consolidate the Biafra territorial integrity, its demarcation, the borders, boundary, water, sea, ocean and air space definition.

7.2. Government of Biafra foreign policy, international relations, diplomacy and external affairs shall be regulated by the pertinent order and legislative acts.

Article 8

Religious confessions shall be of individual and collective rights. The right to confessions shall be as statutorily regulated, so far, that shall not be in conflict with GC fundamental principles and pertinent laws.

Article 9

9.1. The Government of Biafra shall guarantee basic health care and education of the citizens.

9.2. There shall be constant investment for the cultural, scientific, social, economic, industrial and technical research development.

9.3. Landscape, historical and artistic heritage of Biafran people shall be safeguarded.

Article 10

10.1. Government of Biafra laws shall conform to the rules and generally recognized praxis on human rights and pertinent norms of international law.

10.2. Legal status of migrants shall be protected and regulated by law in conformity with international norms and treaties.

10.3. Migrants shall not be extradited for political offenses; with the exception of those that may be accused of genocidal crimes against humanity.

Article 11

11.1. Government of Biafra rejects war as an instrument of aggression, violence and as a means for settling internal and international disputes; except for legitimate defence, humanitarian interference for freedom and justice.

11.2. The Government of Biafra solicits for the sovereignty of the people as conditions of equality and freedom. Peoples' sovereignty creates a natural order that ensures freedom, peace and justice among nations; hence, Biafra shall promote and encourage international organizations having such ends.

Article 12

12.1. The Government of Biafra decentralized structure shall be composed of Provinces with Municipalities and Wards; and the Biafran diaspora citizens.

12.2. Provinces shall be autonomous entities having their own statutes, powers and functions in accordance with the principles laid down in the GC.

12.3. There shall be headquarters in every autonomous Province. Its status shall be regulated by deliberative act of the Statutes as may be proposed by the Province.

Article 13

13.1. The Government of Biafra Flag shall be known and referred to as “The Rising Sun”. The flag shall be tricolour: red, black and green in three vertical bands of equal dimensions with rays of a rising sun which symbolize the autonomy of Biafra Province.

13.2. There shall be a capital seat of the government. The nomination and status shall be regulated by Legislative acts.

Article 14

14.1. Government of Biafra inherits Republic of Biafra National Anthem which shall be known and referred to as the “Land of the Rising Sun” with the complete original text as follow:

*Land of the rising sun, we love and cherish,
Beloved homeland of our brave heroes;
We must defend our lives or we shall perish,
But if the price is death for all we hold dear,
Then let us die without a shred of fear.*

*Hail to Biafra, consecrated nation,
Oh fatherland, this be our solemn pledge:
Defending thee shall be a dedication,
Spilling our blood we’ll count a privilege;
The waving standard which emboldens the free
Shall always be our flag of liberty.*

*We shall emerge triumphant from this ordeal,
And through the crucible unscathed we'll pass;
When we are poised the wounds of battle to heal,
We shall remember those who died in mass;
Then shall our trumpets peal the glorious song
Of victory we scored o'er might and wrong.*

*Oh God, protect us from the hidden pitfall,
Guide all our movements lest we go astray;
Give us the strength to heed the humanist call:
'To give and not to count the cost' each day;
Bless those who rule to serve with resoluteness,
To make this clime a land of righteousness.*

14.2. Government of Biafra adopts a Patriotic Song which shall be known and referred to as "All Hail Biafra" with the complete original text as follow:

*All hail Biafra
Land of the rising sun, we love and cherish
We have vanquished our enemies, all hail Biafra
God Bless Biafra, in Him we trust
Shout it sing it, all hail Biafra*

God bless Biafra

We have emerged triumphant, from all our foes

Through the crucible unscathed, we passed victorious

Our trumpets pealing, the glorious song

Play it, sing it, all hail Biafra

Oh hail Biafra

We shall always remember, all that perished,

In the struggle for our freedom, all hail our heroes

Our prayers shall bemoan, both day and night

Say them always, all hail Biafra

All Hail Biafra

Now our star shines everywhere, we crave humility

God guide and protect us all, all hail Your Wisdom

Shielding us from fury, unleashed by our enlightenment

Biafra, Biafra, shining forever

**PART I: RIGHTS AND DUTIES OF CITIZENS
TITLE 1: CIVIL RIGHTS**

Article 15

15.1. Government of Biafra shall not allow or encourage any arrogation orders acquirable in the deliberate curb or denial of basic and original rights of individual. These rights include : existential fulfillment, freedom, justice, knowledge, procreation, ownership and entrepreneurship.

15.2. No form of detention, inspection or personal search shall be allowed outside the rule of law, nor any other restrictions on personal freedom except by warrant that states the reasons from a judicial authority and only in cases and manner provided for by law.

15.3. In exceptional cases of necessity and emergency, strictly in accordance to law, the law enforcement authorities may adopt temporary measures that must be communicated within forty-eight hours to the judicial authorities and if they are not ratified by judicial authority in the next forty-eight hours, shall thereby be revoked as being null and void.

15.4. All acts of physical or moral violence against individuals subjected in any way to limitations of freedom shall be condemnable.

15.5. Legislative Act shall establish the maximum period of preventive detention.

Article 16

Peoples habitat shall be inviolable. Inspections or searches or seizures may not be carried out except, in cases and in the manner established by law in accordance with the guarantees prescribed for the safe guidance of personal freedom. Controls and inspections for reasons of public health and safety or for economic and fiscal purposes are regulated by special laws.

Article 17

The freedom and secrecy of correspondence and of every other form of privileged communication shall be inviolable.

Restrictions shall be imposed only by a warrant that states the reasons as issued by a judicial authority with the guarantees established by law.

Article 18

18.1. All Biafran citizens and residents have the right to travel or sojourn freely in any part of the Biafran territory; and subject to general limitations that the law may establish for reasons of health and safety.

18.2. No restrictions to free movement shall be imposed for political, economic, cultural and social reasons.

18.3. All Biafran citizens and residents shall be free to leave and to re-enter the territory of Biafra, in accordance with their natural rights and established regulation.

Article 19

19.1. Biafran citizens and residents have the right to assemble and association.

19.2. No previous notice shall be required for meetings, even when held in places open to the public.

19.3. Previous notice must be given to the authorities, who may forbid them only for proven risks to security and public safety for meetings in government buildings and spaces.

Article 20

Biafran citizens and residents shall have the right to form associations, for ends that shall not be forbidden to individuals by established rules. Secret associations and those that pursue, even indirectly with political ends and of a military character, shall be forbidden.

Article 21

Biafra citizens and residents shall have the right to profess freely their own religious faith in acceptable moral form, individually or collectively, to propagate it and to exercise it in a private or public cult, provided that the rites shall not be contrary to the fundamental principles of GC.

Article 22

22.1. Biafran citizens and residents shall have the right to freely express their own thoughts by word, in writing and by all other means of communication.

22.2. The press shall not be subjected to authorization or censorship for thoughts expressed. Seizure of press materials shall be permitted only by a detailed warrant from the judicial authority in the case of offenses for which the law governing the press authorizes, or in the case of violation of the provisions prescribed by law for the disclosure of responsible parties.

22.3. Financial sources of periodical publications shall be disclosed as established by legislative acts.

22.4. Printed publications, shows and other displays contrary to pertinent laws and public morals shall be forbidden. Legislative acts shall establish appropriate means for preventing and suppressing all violations.

Article 23

No person accordingly, may be deprived for political reasons, of legal status, citizenship and identifiable name.

Article 24

No person may be required to perform a personal or financial benefits except on legal basis for individual and common good.

Article 25

25.1. Every person shall have the right to embark on judicial action to protect individual rights and legitimate interests.

The right to defense shall be inviolable at every stage and instance of the proceedings.

25.2. Indigent citizens shall be assured, through appropriate institutions, the means to undertake action and defense to all levels of jurisdiction.

25.3. The law shall determine the conditions and the means of reparation for judicial errors.

Article 26

26.1. No person shall be exempted from an ordinary judgement preordained by rules of law.

26.2. No person shall be punished except on the basis of a law already in force before the offence was committed.

26.3. No person shall be subjected to security measures except in those cases provided for by law.

Article 27

Extradition of person shall be permitted only in cases expressly provided for by the international conventions. In no case may it be permitted for political offences except “extradition due to crimes of genocide”.

Article 28

28.1. Criminal responsibility shall be personal. The defendant shall be considered innocent until proven guilty beyond any reasonable doubt.

28.2. Punishment shall not consist of treatment contrary to human dignity and must aim at rehabilitating the offender.

28.3. Death penalty shall not be permitted except in wartime as may be legislatively authorized in cases provided for in ad hoc “martial law”.

Article 29

Officials and employees of the Government of Biafra *dfc* entities shall directly be responsible, according to criminal, civil and administrative laws, for acts committed in violation of their duties. In such cases the civil responsibility extends to the State and the public entities.

TITLE II : ETHICAL AND SOCIAL RELATIONS

Article 30

The Government of Biafra *dfc* recognizes the rights of the family as a natural association founded on matrimony; and may include persons outside of marriage in accordance to legislative act.

Matrimony shall be based on the moral and legal equality of the spouses within the limits laid down by law to guarantee family unity.

Article 31

31.1. It shall be the duty and right of parents to support, instruct and educate their children.

31.2. Legislative acts shall ensure full legal and social protection of every child. In case of incapacitation, legislative acts shall strive for the fulfillment of such duties.

31.3. Legislative acts shall lay down the rules and limitations for the ascertainment of parenthood.

Article 32

There shall be legislative acts on economic measures and other provisions to assist family welfare and the fulfillment of its procreation duties, with particular consideration for families.

Maternity, infancy and youth shall be protected as well as promotion of the institutions necessary for this purpose.

Article 33

The Government of Biafra shall safeguard health as a fundamental right of the individual and as a collective interest, and shall guarantee free medical care to the indigent.

No person shall be obliged to undergo particular health treatment except under the provisions of the law. Such regulation shall not under any circumstances violate the limits imposed on respect for the human person.

Article 34

34.1. There shall be a right to knowledge. The Government of Biafra shall lay down general rules for education and shall establish all kinds and levels of schools in all the Biafran Provinces.

34.2. Autonomous Provinces shall have the right to establish schools and institutions of education, along with State legislative act.

34.3. Private entities and persons shall have the right to establish schools and institutions of education, in accordance with State legislative act. Rights and obligations on non-state schools that request parity, must ensure to these schools full liberty and to their pupils, scholastic treatment that shall be equal to that of pupils in State schools.

34.4. State examinations shall be prescribed for admission to the various kinds and levels of schools as well as for graduation and for qualification to exercise a profession.

34.5. Institutions of higher learning, universities and academies have the right to establish their own regulations within the limits laid down by the laws.

Article 35

35.1. Education shall be open to all citizens at any level.

35.2. Elementary and Secondary education, imparted for at least six years from the age of five and six, shall be compulsory and free.

35.3. Capable and deserving pupils, even those without financial resources, shall have the right to attain the highest levels of education. Government of Biafra shall make this right effective through scholarships, payments to families and other provisions, which shall be assigned through competitive examination.

TITLE III : ECONOMIC RELATIONS

Article 36

Government of Biafra shall protect labour, ownership and entrepreneurship in all its forms and applications within the limits laid down by law to guarantee the rights of citizens. Shall provide for the training and professional improvement of workers; promote and encourage international agreements and organisations whose aim shall be to assert and regulate labour rights. There shall be freedom for migrant economic relations, subject to obligations established by law for general interest, and also for the protection of Biafran labour in diaspora.

Article 37

37.1. Workers shall have the right to wages in proportion to the quantity and quality of their work and in all other cases, sufficiently to ensure workers and their families a fair and dignified existence.

37.2. The maximum working day shall be fixed by legislative act.

37.3. Workers shall have right to two (2) days weekly rest and paid annual holidays.

37.4. Employers shall not waive this right.

Article 38

38.1. All workers shall have the same rights and, for equal work, the same wages.

38.2. Working conditions must allow women and men to carry out their essential role in the family and ensure particular and adequate protection for mother, father and child relationship.

38.3. Minimum age for paid labour shall be established by legislative acts.

38.4. Government of Biafra protects the work of minors by means of special provisions of legislative acts; and, for equal work roles, guarantees the right to equal pay.

Article 39

39.1. Every Biafran citizen and resident who may be unable to work and without the resources necessary to live shall have the right to social maintenance and assistance, in accordance with legislative acts.

39.2. Workers shall have the right to be provided with and assured adequate means for their needs and necessities in cases of accidents, illness, disability and old age, and period of unemployment.

39.3. Disabled and handicapped persons shall have the right to education and vocational training.

39.4. This article shall also be for the organs and institutions established or mandated to supplement the obligations of State.

Article 40

40.1. There shall be the right to establish labour union organizations. No obligations shall be imposed on labour unions other than registration at local or State offices, according to the provisions of the law.

Basic condition for registration shall be that the statutes of the labour union must confirm the democratic basis of the internal organization.

40.2. Registered labour unions shall have legal status. They may, through representative units in proportion to their members, enter into collective labour agreements having mandatory effect for all persons belonging to the categories referred to in the agreement.

40.3. Right to labour union strike shall be exercised within the laws accordingly.

Article 41

There shall be right to private economic initiative. This initiative shall not be conducted in conflict with social utility or in a manner that may harm safety, liberty, and human dignity.

The law shall determine appropriate planning and controls, so that public and private economic activity shall be given direction and coordinated to individual and social objectives.

Article 42

42.1. Property ownership may be public or private. Economic goods may belong to the State, to entities or to private persons. There shall be no gender discrimination.

42.2. Private property shall be recognized and guaranteed by law, which prescribes the ways of acquisition, enjoyment and its limits in order to ensure its social function and accessibility.

42.3. As shall be provided for by law and with provisions for compensation, private property can be expropriated for reasons of the general interest.

42.4. Legislative acts shall establish the regulations and limits of legitimate and testamentary succession and the rights of the State in questions of inheritance.

Article 43

There shall be legislative acts for purposes of general utility on the establishment or transfer, expropriation and payment of compensation to the State, public entities or to workers communities or users of specific enterprises or categories of enterprises that relate to essential public services or sources of energy or situations of monopoly that have the nature of indispensable general interest.

Article 44

44.1. Legislative acts shall impose, for the purpose of securing the rational exploration of the Biafra territorial land soil and to establish equity in social relationships, certain obligations and constraints on private ownership of land; may fix limitations to the extension thereof, according to autonomous provincial zone; may encourage and impose land reclamation, the transformation of large estates and the reorganization of productive units; shall also assists small and medium-sized holdings.

44.2. There shall be legislative provisions specially for the development of Autonomous Provinces of Biafra.

Article 45

45.1. The Government of Biafra shall recognize and encourage the social function of cooperatives for mutual benefit and without the purpose of private speculation. There shall be legislative acts to promote and encourage them with the appropriate means in order to secure their appropriate controls, character and purposes.

45.2. There shall be Legislative acts on measures for safeguarding and promoting handicrafts.

Article 46

Government of Biafra shall recognize the rights of workers collaboration, in the ways and within the limits established by law, in the management of enterprises, so as to achieve economic improvement and the social betterment of labour, and in accord with the needs of production.

Article 47

Government of Biafra shall encourage and safeguard public and private savings in all forms; shall discipline, coordinate and control the exercise of credit. Shall promote the access of popular savings to home ownership, direct cultivation of property and to indirect investment in the shares of the large production complexes of the country.

TITLE IV : POLITICAL RIGHTS

Article 48

48.1. Citizens, who attain their majority age of 18 years shall be electors. Political rights shall accordingly be extended to residents by law.

48.2. Voting rights shall be personal, equal, free and secret. The exercise thereof, shall be a civic duty.

48.3. Biafra citizens in diaspora shall have the right to vote in all Biafran legislative elections, in accordance with legislative acts that shall guarantee its effectiveness. The Legislative Act shall establish the conditions and the procedures under which ‘Foreign/Diaspora Electoral zones and Constituencies’ shall be created only for the State and Provincial legislative elections_.

48.4. The right to vote cannot be restricted except for civil incapacitation or as a consequence of an irrevocable penal sentence or in cases of moral unworthiness as shall be laid down by law.

Article 49

Biafran citizens shall have the right to freely associate in party politics as to contribute through democratic processes in the determination of national policies. This right shall be extended to diaspora residents as shall be determined by legislative act .

Article 50

Biafran citizens shall have right to present petitions for popular legislative proposal to the Parliament and Autonomous Provincial administrations, to request legislative measures or to express collective needs.

Article 51

51.1. Biafran citizens shall be eligible for public office and for elected positions on equal terms, according to the conditions established by law. There shall be full time legislators.

51.2. The law shall grant Biafran citizens in diaspora the same rights as resident citizens for the purposes of access to public offices and elected positions. Elected offices that needed homeland presence shall be served locally at home.

51.3. Whoever shall be elected to serve in public office, has the duty to carry out that function while keeping his job in accordance with legislative acts.

Article 52

52.1. The Government of Biafra homeland defense and security departments shall of duty require the collaboration of every citizen.

52.2. Military service shall be obligatory for a period of two years for citizens between the ages of 18 and 25 years old.

52.3. Fulfillment thereof, shall not prejudice a citizen's employment, nor the exercise of political rights.

52.4. The regulation of the defence and security forces shall be based on the democratic spirit.

52.5. Government of Biafra intelligence must be directed to the protection and safety of the citizens

Article 53

53.1. Biafra citizens and residents shall contribute to generate revenue for public expenditure in accordance to law and proportionately to means in possession.

53.2. The system of taxation shall be based on criteria of progression scale.

Article 54

54.1. Biafra citizens and residents in her territory shall be law abiding and uphold GC and other pertinent laws.

54.2. Biafra citizens to whom public functions shall be entrusted shall fulfill such functions with discipline and honour, as shall be required by legislative act.

PART II: ORGANIZATIONAL STRUCTURE OF THE GOVERNMENT OF BIAFRA

TITLE I: LEGISLATIVE ORGAN

SECTION I: The Legislative Chamber

Article 55

There shall be at the onset, interim Chamber of Biafra with seat in the diaspora.

The Honourable members shall meet in joint session with the Autonomous

Provincial Assemblies only in those cases that may be required by the competent

authorities, namely by the Head of the Government, Head of the Legislative Chamber

and on the request of the Head of the Autonomous Provincial Assembly.

Successively, the Government of Biafra shall be a unicameral Legislative

Parliament. Same as the Provinces.

Article 56

56.1. Legislative members shall firstly be willing patriotic volunteers for the initial institutional foundation or restoration and after its consolidation shall be elected by universal and direct suffrage in the respective Biafran Provincial territories and diaspora electoral constituencies.

56.2 Henceforth, legislators shall be elected and enfranchised by all eligible voters. Voters or electors shall be older than seventeen (17) years of age.

Candidates older than 21 years of age shall be eligible to be members of legislative organ.

56.3. The number of Legislators from the first convocation to successive electoral convocation shall be established in accordance with legislative acts.

56.4 Citizens who on the day of elections shall attain the voting age of seventeen (17) or older shall have the right to vote; the same applies to candidature as Legislator.

56.5. The allocation of seats among electoral colleges by Province, Municipal, Ward and Diaspora zones shall be obtained by dividing the number of inhabitants of the Biafran citizens, as shown by the latest certifiable population data or census, with the estimated number of electoral seats, distributing the seats in proportion to the population in every electoral zone, on the basis of whole shares and the highest remainders.

Article 57

57.1. Legislators from the Autonomous Provinces shall be elected on a Provincial electoral zonal basis. Total number of Legislators to be elected shall be in accordance with legislative acts.

57.2. Biafran Autonomous Province shall have a number of Legislators as determined by legislative act. Biafran Diaspora zone with Special Status shall have number of Legislators as determined by legislative act.

Article 58

Biafran citizens who duly shall be recognised as having contributed immensely to the restoration of Biafra shall be given highest State Civilian Honour as shall be determined by legislative act. This shall be extended to non Biafran citizens as well as for honorary citizenship.

Article 59

Legislators of the Government of Biafra shall serve for two (2) terms of four (4) years tenure. Same applicable to Provinces.

The duration of the Legislature shall not be extended except by law and only in case of act of aggression or war against the State.

Article 60

60.1. Nomination or successive elections for the new Legislature shall take place within ten (10) working days of the end of the term of the previous Legislative tenure.

60.2. The first convocation shall take place not later than ten (10) working days after the elections. Until such time of convocation of the new Legislature, the powers of the previous Legislative Parliament shall be under quiescence.

Article 61

61.1. The Legislature shall commence by right on the first working day as shall be determined by legislative act.

61.2. Legislators may be convened in an extraordinary session on the initiative of its Speaker/Head of the Government or by a one-third of its members.

61.3. When Legislators may be convened in an extraordinary session, the Heads of the Autonomous Provincial Assemblies shall be convened by right.

Article 62

62.1. The Legislative Chamber shall elect from among its members, the Speaker and the members of the Office of the Speaker.

62.2. When Legislators convene for a joint session, the Speaker shall host and/or the Head of Government shall preside.

Article 63

63.1. Legislators shall adopt their own rules by absolute majority of the members.

63.2. Legislative sittings shall be public; and may with declared reason decide to meet in secret session.

63.3. The decisions of the Legislators shall not be valid if the majority of the members are not present, and if they are not adopted by a majority of those present, unless, in cases the GC prescribes a simple majority.

63.4. Officials of the Government of Biafra, even when not members of the Legislature, shall have the right, and when requested the obligation, to attend sittings. They shall be heard every time at their request.

Article 64

64.1. The law determines cases of non-eligibility and incompatibility as members of the State and Autonomous Provincial Legislatures.

64.2. No Biafran citizen shall be a Legislator, Head of the Government and Head of Autonomous Provincial Assemblies at the same time.

Article 65

State and Autonomous Provincial Legislators shall respectively legislate on the qualifications for admission of its members and subsequent causes of ineligibility and incompatibility.

Article 66

Each Legislator represents the State of Biafra and her citizens; and shall carry out the duties without constraint of mandate.

Article 67

67.1. Legislators shall not be required to give account of any opinions expressed or votes cast in the exercise of their functions.

67.2. In absence of authorization from the Legislative Chamber, no Legislator shall be subject to a personal search or have the domicile searched, nor subject to arrest or any other deprivation of personal freedom, or kept in detention, except to enforce a final conviction, or if caught in the act of committing a crime for which arrest shall be mandatory.

67.3 Same authorization shall be required to place a Legislator under arrest or to keep him or her in detention for the enforcement of a sentence, even if not subject to appeal". Similar authorization shall also be required before Legislators conversations or communications may be intercepted, or their mail impounded.

Article 68

Initial Legislators shall be willing patriotic volunteers who shall be entitled to reimbursement of expenses as the case may be and successive elected legislators shall receive indemnity as established by legislative act.

TITLE I: LEGISLATIVE ORGAN
SECTION II: ADOPTION OF LAWS

Article 69

Government of Biafra Legislature shall exercise exclusive legislative function of regulatory powers with respect to the subject matters of legislation, and delegate autonomous powers as shall be vested to the Autonomous Province.

Article 70

The exclusive legislative subject matters shall include the following, namely: a) foreign policy and international relations of the State; relations between the State and International Organizations; the right of asylum and legal status of non-Biafran citizens b) migration c) relations between the State and religious denominations d) defence and armed forces; State security; armaments, ammunition and explosives e) currency, savings protection and financial markets; competition protection; the foreign exchange system; state taxation and accounting systems; equalisation of financial resources f) state bodies and relevant electoral laws; state referenda g) legal and administrative organisation of the State and of national public agencies h) public order and security, with the exception of local administrative police;

***i)* citizenship, civil status and registry offices *j)* judicial system and procedural law; civil and criminal law; administrative justice *k)* determination of the essential levels of benefits relating to civil and social entitlements to be guaranteed throughout the national territory; *l)* general provisions on education *m)* social security *n)* electoral legislation, governing bodies and fundamental functions of the Capital Seat, Autonomous Province and Wards *o)* customs, protection of national borders and international disease control *p)* weights and measures; standard time; statistical and computerised co-ordination of data for State regional and local administrations; intellectual property; *q)* protection of the environment, the ecosystem and cultural heritage.**

Article 71

***71.1.* Legislature shall commence in the first convocation and sitting, with the presence of the elected members in accordance with organs and bodies so empowered by legislative acts.**

***71.2.* Biafra citizens shall initiate popular legislative proposals through articulated bill drafts, made by at least six thousand (6000) eligible electors.**

Article 72

72.1. Every Legislative bill proposal shall be in accordance with its rules, examined by the Legislative committee and then by the Legislative Chamber, which shall approve the bill with the provisional elements one by one and with a final vote.

72.2. Legislative rules shall establish shortened procedures for draft legislation that has been declared urgent.

Shall also establish in what cases and in what manner the examination and approval of bills shall be deferred to committees, including standing committees, composed so as to reflect the proportion of the legislative groups. Even in such cases, until the moment of its final approval, the bill may be submitted to the legislative chamber, if the Government or one-tenth of the legislators or one-fifth of the committee request that it be debated and voted on by the legislative chamber or that it be submitted to the legislative chamber for final approval by means of a call for votes only.

Legislative rules shall also establish the ways in which the workings of Committees are made public.

72.3. The regular procedure for examination and approval, directly by the legislative chamber, shall always be followed for bills on constitutional and electoral matters, legislative delegation, referendum law, the authorization and ratification of international treaties, the approval of annual budgets and expenditure accounts as well as the appropriation .

73.1. Laws adopted by Legislators shall be promulgated by the Head of the Government within one month of the approval.

73.2. Deliberations adopted by the Legislators of the Autonomous Provincial shall be promulgated by the Provincial Administrator within one month of their approval. If by absolute majority, the members declare its urgency, a bill is promulgated within the time established by the bill itself respectively in the State and Autonomous Provincial Assemblies .

73.3. State and Provincial legislative acts shall be published immediately after promulgation and come into force on the tenth (10th) working day following publication in the Official Gazette, unless the acts establish a different time.

Article 74

Head of the Government, in a written message with outlined motive , may request a new debate by the Legislative chamber before the promulgation of a law. If the Legislators reconfirm the law, the law shall be promulgated.

Provincial Administrator/ Governor, in a written message with outlined motive , may request a new debate of the Assembly before promulgation of a deliberative act of the Autonomous Province. If the Provincial Assemblies again pass the law, it shall be promulgated.

Article 75

75.1. Popular Referendum shall be held to abrogate, confirm totally or partially, a

law or an act having the force of law, when requested by five hundred thousand (500,000) legible voters for provincial laws; and one million (1,000 000) eligible voters for the State laws.

75.2. Referendum shall be permitted by legislators in the case of ratification of the constitution, amnesty and state pardon laws, or the authorization or ratification of international treaties.

75.3. Biafra citizens eligible to vote shall be enfranchised to participate in referendums.

75.4. Referendum subject matter shall be approved if the majority of citizens with voting rights have voted and the proposal received a majority of valid votes cast.

76.5. The procedures for referendum exercise shall be established by legislative act.

Article 76

The exercise of the legislative function may not be delegated to the Government Executives unless the principles and guiding criteria have been established by the Legislators, and then only for a limited time and for specified ends.

Article 77

77.1. The Government Executives shall not, without delegation from the Legislators,

issue order decrees having the force of ordinary law within the Provincial and State level except circulars in respect to implementation of laws.

77.2. In extraordinary cases of necessity and urgency the Government shall adopt provisional measures having the force of law, it must on the same day be presented for conversion into law by the Legislators; even if in transition, shall be extraordinarily summoned and shall assemble within ten (10) working days.

77.3. The Presidential mandate shall loose enforcement effect from their inception, if they shall not be converted into law within 10 working days from their publication. The Parliament may however regulate through laws, juridical effects arising out of decrees not converted.

Article 78

The Legislators shall decide on declaration of war and confer the necessary powers to the Government through the Head of the Government.

Article 79

79.1. Amnesties and State pardons shall be granted by the Head of Government by

legislative act of delegatory authority. Shall not be granted for offences committed after the approved act of delegation.

79.2. The Act granting amnesty or pardon shall also indicate the deadlines for their application.

Article 80

Legislators shall authorize with legislative act, the ratification of international treaties that are of a political nature, or that shall call for arbitration or legal settlements, or that entail changes to national territory or financial burdens or changes in the GC.

Article 81

81.1. Legislators shall approve every financial year the budgets and expenditure accounts submitted by the Executive.

81.2. Provisional use of the budget shall not be granted except and for periods not exceeding a certain specified period as shall be authorized by legislative act.

81.3. No new taxes or new expenditures shall be introduced in the approved budget without the approval of the Legislators.

81.4. Any other law involving new or increased expenditures shall specify the checks and balances.

Article 82

Concurrent legislative acts of the State take precedence over that of the Autonomous Provincial Assemblies subsidiarily.

**PART II: ORGANIZATION OF THE GOVERNMENT
TITLE II: HEAD OF THE GOVERNMENT OF BIAFRA**

Article 83

The Head of the Government of Biafra shall at the first formative and restorative stage be nominated by the interim legislative members of the Pro Biafran groups. Shall successively be elected by enfranchised citizens in a universal suffrage election. The Head shall be the first legal representative citizen of Biafran citizens.

Article 84

84.1. Any citizen over 35 and between 65 years of age, with civil and political rights, in fulfilment of the legislative acts for election shall have the right to candidate and be elected as head of the Government of Biafra.

84.2. The office of the Head of the Government of Biafra shall be incompatible with any other office.

84.3. The services of the Head of the Government of Biafra shall at the first formative and restorative stage voluntary. Successively, electoral requisites, compensation and endowments for the office of the elected Head of Government of Biafra shall be established by legislative act.

Article 85

85.1. The Head of Government of Biafra shall be rotational among the ethnic entities of Biafran in an alphabetic order. The Head and Deputy Head of the

Government of Biafra shall not come from the same ethnic entity. The tenure of the Head of Government of Biafra shall be for six (6) years one term.

85.2. Ninety (90) working days before the expiration of the term, the Head of Government of Biafra shall fix the date for the general election of the Head of Government of Biafra and legislators in accordance with the electoral legislative acts.

85.3. In case of the resignation or impeachment of the Head of Government of Biafra or the dissolution of the legislative organ, election shall take place within thirty (30) working days from the signing into act of the impeachment or dissolution.

85.4. In time or interval of emergency and unforeseen circumstances, the tenure of the Head of Government of Biafra may be prolonged and shall not be more than six months.

Article 86

86.1. In any impediment or circumstance in which the functions of the Head of Government of Biafra shall not be exercised, the Deputy Head of Government of

Biafra shall become the Head of Government of Biafra ad interim or period of time as shall be authorized by Legislators.

86.2. In case of permanent incapacitation, death, resignation or impeachment of the Head of Government of Biafra, the Deputy Head of Government of Biafra shall become the Head of Government of Biafra ad interim, pending arrangement with the Speaker of the Parliament to fix the date for the election for new Head of Government of Biafra and legislative Assembly in accordance with the electoral legislative acts within thirty working days.

86.3 Impeachment shall only be activated by two-third votes of the members of Parliament.

Article 87

87.1. The Head of Government of Biafra shall be the Head of State and first legal representative citizen of Biafrans.

87.2. The Head of Government of Biafra shall interally convey official State of Affairs message and address every trimester; while that of State and the Provincial legislative Assemblies in plenary shall be every six months.

87.3. In time or interval of emergency and unforeseen circumstances, the tenure of the Deputy Head of Government of may be prolonged and shall not be more than six months.

87.4. The Head of Government of Biafra authorizes the presentation to the Parliament of draft laws initiated by the executive and citizens. Promulgates laws and issues mandates and regulations having the force of law accordingly.

87.5. The Head of Government of Biafra shall summon the date for Referendum in line with the legislative acts.

87.6. The Head of Government of Biafra nominates officers of the State in line with the legislative act.

87.7. The Head of Government of Biafra accredits and receives diplomatic representatives, ratifies international treaties that have, as required, been authorized by the legislative Assembly.

87.8. The Head of Government of Biafra shall be the commander of the armed forces and shall preside over the Council of Defence and Security as established by legislative act.

87.9. The Head of Government of Biafra shall issue declarations of war for legitimate defence which first of all, shall be authorized by the legislative Assembly.

87.10. The Head of Government of Biafra shall preside over the Supreme Council of

the Judiciary as established by legislative act.

87.11. The Head of Government of Biafra may grant State pardons and commute punishments as established by legislative act.

87.12. The Head of Government of Biafra shall confer honour on behalf of Biafran citizens as established by legislative act.

87.13. The Head of Government of Biafra shall have veto power of first instance.

Article 88

88.1. In case of breach of GC by the legislative organs, the Head of Government of Biafra shall, after consultation with the Provincial Administrator, in case of Ward Union members, authorize the Administrator to dissolve the Council/Assembly; while in the case of upper legislative Assembly shall be dissolved after binding consultation with the Speaker of Legislative Assembly after a vote of no confidence.

88.2. This power shall not be exercised during the last six months of the The Head of Government of Biafra tenure, except when this period coincides wholly or in part with the last six months of the term of the Legislature

Article 89

89.1. No executive act of the Head of Government of Biafra shall be valid if not signed by the competent organ of governance, who shall assume responsibility of the act.

89.2. Acts that have legislative value and those others laid down by law shall be countersigned also by the Secretary of State of the Government of Biafra.

Article 90

The Head of Government of Biafra shall not be held responsible for acts authorized in the exercise of duties, except treasonable charge against the GC for which, the Head of Government of Biafra shall be impeached by absolute majority of the Legislative Assembly.

Article 91

The Head of Government of Biafra, before assumption of duties, shall be administered oath of allegiance . Successively, all the Ministers shall also be administered oath of allegiance.

TITLE III : THE EXECUTIVE GOVERNMENT

SECTION I : MINISTERS AND PROVINCIAL ADMINISTRATORS

Article 92

92.1. The Executive arm of the Government of Biafra shall be made up of the

Head of the Government together with the nominated Ministers; and Autonomous Provincial Governors/Administrators together with the nominated Commissioners . They shall, all together be known and addressed as Biafra Executive Council (BEC).

92.2. The Head of Government of Biafra nominates the Ministers and chairs over BEC, proposes in absentia, the Deputy Head of Government of Biafra as, the Acting Head of Government of Biafra ad interim within the BEC

92.3. The Autonomous Provincial Administrators nominates the Commissioners and chairs over Biafra Provincial Administrative Council (BPAC) proposes in absentia, the Deputy as the Acting Administrator ad interim within the BPAC.

92.4. The Provincial Administrators, before commencement of duties, shall be sworn in by the Supreme Judge of the Province. Successively, all the Commissioners shall also be administered oath of allegiance by the Provincial Administrators.

Article 93

93.1. Government of Biafra executive members shall have a vote of confidence of the Legislative Assembly.

93.2. Confidence shall be granted or withdrawn through a motion that shall set

out the motives and that shall be voted on by roll-call.

93.3. Within ten days of its formalization, the executive shall come before the Upper Legislative Assembly in the case of State government; and before the Provincial legislative Assembly to seek confidence.

93.4. Opposing a vote by the respective Chamber/ House against executive proposal shall not entail the obligation to resign or dissolution, except solicited by the Head of Biafra Government.

93.5. Motion of no-confidence must be signed by at least one tenth of the members of the Legislative Assemblies and cannot be debated until at least three days after its introduction.

Article 94

94.1. The BEC, presided over by the Head of the Government of Biafra shall be responsible for the general administrative policy of the Biafran Government. Shall ensure unity in political and administrative policies. Promotion, coordination and

cooperation of the activities of the State Ministers and Biafra Provincial Administrators. Head of Foreign Affairs with plenipotential power in the diaspora shall be appointed at the initial phase to assist in the political administrative consolidation for a period of 12 months.

94.2. The Ministers shall be collectively responsible for the acts of the BEC and individually for the acts in their own Ministries.

94.3. The law establishes the rules concerning the role of the Chairperson of the Council and establishes the number, competence and organisation of the Ministries. Patriots or emeritus personalities whose record of services are evident shall be members of BEC by merit as shall be approved by the Legislators. BPAC, chaired by the Provincial Administrator shall be responsible for the general administrative policy of the provincial administration. The Provincial Administrator ensures unity in political and administrative policies, promotion and coordination of the activity of the Commissioners.

94.4 The BEC and BPAC, shall be administrative decisive bodies with the scope to ensure efficiency in the public administration.

Article 95

Members of the BEC and BPAC, in any circumstances and interval of time shall be subject to ordinary justice for crimes committed in the exercise of their duties, in accordance with the norms established by GC and legislative acts.

**TITLE III : THE EXECUTIVE GOVERNMENT
SECTION II : PUBLIC ADMINISTRATION**

Article 96

96.1. Public offices and services shall be regulated, as to ensure efficiency and impartiality of administration.

96.2. The regulations on public offices shall lay down the areas of competence, duties and responsibilities of officials and staff.

96.3. Employment in public administration shall be through merit and competitive examinations as established by law.

Article 97

97.1. Civil servants shall be exclusively at the service of the Biafran citizens.

97.2. Promotion shall only be by seniority; by competence and years of experience for all civil services.

97.3. The law shall set limitations to the right to become a registered member of political parties in the case of magistrates, career military officers in active service, officials and officers of the police, diplomatic and consular representatives abroad.

**TITLE III : THE EXECUTIVE GOVERNMENT
SECTION III : GOVERNMENT PARASTATAL BODIES**

Article 98

98.1. The Biafran Council for Human Rights; Scientific Research; Economic and

Labour organisms, shall be instituted and composed, as set out by law, of experts and representatives of the categories, so as to take account of their numerical and qualitative competence.

98.2. They shall serve amongst others as a consultative body to the Government in general on those matters and functions of great relevance.

98.3. They shall initiate legislative instances and make contributions to legislative bills in areas of competence in accordance with the principles and within the limitations laid out by law.

Article 99

99.1 The State and Provincial Court of Finance & Audit Council exercises preventive control over the transparency and accountability of Government Financial measures and Budget.

99.2. The State and Provincial Court of Finance & Audit Council shall participate, in those cases and manner established by law, in the control of financial management of those bodies to which the Provinces and State contributes in the ordinary way.

99.3. The State and Provincial Court of Finance & Audit Council shall carry out consultative control on the financial position of the Legislators as to present an outcome report on money allocated.

99.4. Legislative acts shall ensure the independence of these bodies and their members from all the Government organs .

**TITLE IV - THE JUDICIARY
SECTION I – THE JUDICIAL SYSTEM**

Article 100

The Government of Biafra Judicial System shall be divided into several layers within the composition that follow: Courts of Special Jurisdiction, Ordinary Courts for first jurisdiction; Appellate Court for challenge of first jurisdiction by formal appeal and; the Supreme Court which shall be the Court for final judgement. The Government of Biafra Judicial System shall have a Supreme Court as the apex court .

Article 101

Courts of Special Jurisdiction shall be Courts set up to hear specific types of cases both at the generally and within Autonomous Provincial levels. These courts shall include amongst others, bankruptcy and tax courts. Autonomous Provincial Administration shall have probate to handle wills; customary court,

family court which shall oversee marriage, custody and other related issues.

Legislative acts on Courts of Special Jurisdiction shall outline simplified rules of evidence or procedure and qualified staff in order to speed the process.

Article 102

Ordinary Courts for first jurisdiction shall be trial courts where cases generally start. There shall be two types of Ordinary Courts for first jurisdiction : Criminal and Civil. Decision or verdict of the judge and the jury shall hold pending instances of appeal.

Article 103

Appellate Courts shall be for challenge of first jurisdiction by formal appeal incase of mistake in the law or the trial procedure. Shall take cases from courts of special jurisdiction as well with the exception of the Supreme court.

Article 104

104.1 Supreme Court shall be the highest court of jurisdiction. There may be circumstances of particular question of law in the Ordinary Courts for first jurisdiction, where the Supreme Court decides to skip the Appellate court as to handle the case directly.

104.2 There shall be seven (7) members of the Superior Court nomination by the Executive and the Judiciary Council ; and subject to approval and ratification by two-third of the membership of the Parliament, with the same requirements for filling vacant Judicial seats. Where new Judiciary positions are required, they shall be created by the procedures of the three authorities: Executive and the Judiciary Council and the approval of the Parliament. The Judiciary Council shall define and determine its rules of procedures.

Article 105

105.1 Judicial proceedings shall be exercised by qualified legal practitioners, ordinary Magistrates and Judges empowered and regulated under the judiciary rules. Extraordinary or special judges shall not be established.

105.2 Jury of peers of eleven (11) randomly chosen among Biafran shall administer justice in civil and criminal matters. Legislative acts shall regulate cases and forms of participation of the citizens in the administration of justice.

Article 106

106.1. The BEC and BPAC, the Legislative Assemblies and the Judiciary Council shall be duty bound to safeguard legitimate interests of the citizens and, where specifically provided by law, subjective rights, that may be against the collective interest.

106.2. Military Tribunals in time of war shall have jurisdiction as may be established by law. In time of peace they shall have jurisdiction only for military subject matters amongst the members of Defence and Security forces in respect of fundamental human rights.

Article 107

107.1. There shall be two Judiciary Councils: Ordinary Judiciary Council and Supreme Judiciary Council. The Judiciary Councils shall be autonomous and independent of all other powers.

107.2. The Ordinary Judiciary Council shall be composed of qualified legal practitioners, ordinary Magistrates and Judges empowered and regulated under the judiciary in all legal proceedings.

107.3. The Supreme Judiciary Council shall be chaired by the Head of Government of Biafra. Members by right are the Attorney General of the Government of Biafra.

107.4. Two thirds of the other members are elected by all the ordinary judges belonging to the various categories, and one third by Parliament in a joint session from among full university professors of law and lawyers having fifteen (15) years experience of practice.

107.5. The Judiciary Council elects a deputy chair from among those members designated by the Legislative Assembly of which one must be from the Attorney

General of the Government of Biafra.

107.6. Elected members of the Council remain in office for four (4) years and shall not successively be re-elected immediately.

107.7. Members of the Judiciary Council shall not, while in office, exercise professional roles, nor serve in Legislative Assemblies.

Article 108

The Judiciary Councils, in accordance to the norms governing the judiciary, have jurisdiction for employment, assignments, transfers, promotions and disciplinary measures of the components.

Article 109

Judges shall be appointed through competitive examinations.

The law governing the judiciary may allow for the appointment, possibly by election, of honorary judges for all the functions performed by single judges.

Following a proposal of the Supreme Judiciary Council, full university professors of law and lawyers with fifteen (15) years experience of practice and registered in the special professional lists shall be appointed as Chancery in the Supreme Court of

Appeal for their outstanding merits.

Article 110

110.1. Judges shall not be removed from office. Nor shall they be dismissed or suspended from office or assigned to other courts or functions except by virtue of a decision of the Supreme Judiciary Council, taken either for the motives and with the guarantees of defence established by the rules of the judiciary or with their motivated consent.

110.2. The Minister of Justice has power to initiate a disciplinary action. Judges shall be distinguished only by their different functions.

110.3. The Public Prosecutor shall guarantee the norms governing the judiciary.

Article 111

The norms governing the judiciary shall be established by law.

The law shall ensure the independence of judges of special courts, of state prosecutors of those courts, and of other persons participating in the administration of justice.

Article 112

Judicial authorities shall have direct working relations with the police judiciary.

Article 113

Without prejudice to the authority of the Supreme Judiciary Council, the Minister of Justice shall bear the responsibility for the organisation and functioning of services relating to justice.

**TITLE IV : THE JUDICIARY
SECTION II : RULE OF LAW**

Article 114

114.1. Justice shall be administered in the name of Biafran people and humanity.

Judges shall be subject only to the Rule of law.

114.2. The judiciary shall review and adjust, when necessary and appropriate, any legislative act in accordance to the GC.

114.3. Rules of law shall be administered by means of fair trial, equity and justice guided by Legislative acts and judiciary rules.

114.4. Parties to all trials shall speak in their own defence in the presence of the other parties, with equal status, before an independent and impartial court.

114.5. Legislative acts and judiciary rules shall lay down provisions to ensure that trials shall be of a reasonable length and beyond any reasonable doubt. All judicial decisions must be reasonable and motivated.

114.6. In the criminal justice proceedings, any person charged with a criminal offence shall have the statutory right to be notified promptly and confidentially of the nature and cause of the charges made against them; shall be given adequate time and conditions to prepare their defence; shall have the statutory right to examine, or be examined by the witnesses testifying against in court and to obtain the attendance and examination of witnesses on their behalf under the same conditions as witnesses against them, and to obtain all other evidence on their behalf; shall be assisted by an interpreter if they cannot understand or speak the language used during the trial.

114.7 The criminal justice proceedings shall not be governed by the adversarial principle for the determination of evidence.

114.8. The law shall govern the cases in which the determination of evidence shall not be subject to adversarial process whether because of the consent of the defendant, or where it shall be objectively proven to be impossible, or as a result of proven unlawful conduct.

114.9. Guilt shall not be established on the basis of statements made by anyone who has freely chosen not to submit to questioning by the Prosecutor or the defendant's

counsel.

Article 115

The Public Prosecutor shall initiate criminal proceedings.

Article 116

116.1. The judicial protection of rights and legitimate interests against acts of the public administration before the organs of ordinary or administrative justice shall always be permitted. Such judicial protection may not be excluded or limited in particular kinds of appeal or for particular categories of acts.

116.2 Legislative acts shall determine which judiciary bodies shall be empowered to annul acts of public administration cases and with the consequences provided for in the law itself.

**TITLE V : GOVERNMENT OF BIAFRA DECENTRALIZED STRUCTURE
SECTION 1: AUTONOMOUS PROVINCIAL ADMINISTRATION**

Article 117

117.1. Government of Biafra shall be composed of two Decentralized Structure, namely the Autonomous Provinces with administrative Ward councils and electoral zones ; and the Biafran Diaspora representation that shall have a representative capacity, electoral zones and constituencies for legislative election. At the initial stage of this government, there shall be an interim legislative body in the diaspora.

117.2. The Government of Biafra decentralized structures, shall be entities having their own statutes, powers and functions in accordance with the principles laid down in the GC.

Article 118

Government of Biafra decentralized structure shall reflect effective grassroots participation issues, needs and values directly and or by representation . Shall have autonomous regulatory powers and implementation of the functions as may be attributed

Article 119

119.1 Each structure shall have a Statute that shall lay down the form of administration and basic principles for the organisation and the conduct of its political administration. The statute shall regulate the laws and administrative measures as well as the publication of deliberations .

119.2. Decentralized Provincial Statutes shall be adopted and amended by their legislative Assembly through deliberations approved by an absolute majority of its members, with two subsequent deliberations at an interval of not less than two months.

119.3. The Decentralized Provincial Statute shall be submitted to popular referendum if one-fifth of the electors or one-fifth of the members of the Legislative Assembly so request it within three months of its publication. The Statute submitted to referendum shall not be promulgated if it shall not be approved by the majority of valid votes.

119.4. In each decentralized Province, the Statute governs all the Authorities.

Article 120

There shall be two tiers of Autonomous decentralized structure. Provinces shall have Municipalities and Wards headed by Mayors and Chairman respectively. Similarly to that of Diaspora where there should be national and intercontinental tiers headed by Administrators.

Article 121

121.1. The Decentralized Provincial Assembly Legislative functions shall include the following: the legal system of the offices and administrative bodies dependent on the structure; ward/Municipal districts electoral districts; urban and rural local

police; fairs and markets; social security, health care and hospitals; craft instruction, professions and educational assistance; museums and libraries of local entities; town planning; Tourism and the hotel industry; Railroad and automobile networks of regional interest; Road conditions, waterworks and public works of regional interest; Navigation and ports; Mineral waters and spas; Caves and peat bogs; Hunting; Fishing in internal waters; Agriculture and forestry; Crafts; Other areas indicated by constitutional laws.

121.2. The Autonomous Province has the power to make, adopt and enforce laws. They shall legislate on the following subject matters within the limits of fundamental principles established by GC, on the condition that the laws shall not be in conflict with the general interest.

121.3. Decentralized structure shall not make deliberation contrary to the GC.

Article 122

Decentralized structure Legislative Assembly deliberation shall remove any hindrances to fundamental human rights in social, cultural and economic life and shall promote equal access to elected offices for eligible citizens.

Article 123

Decentralized structure Administration shall also exercise its functions by delegating it to the Wards, the Municipalities or to Family entities.

Article 124

Decentralized Autonomous Province shall establish liaison if need be with foreign

States and with local authorities of other States in the cases and according to the forms laid down by the GC.

Article 125

125.1. Decentralized Autonomous Provinces shall carry out administrative functions of their own as well as the functions assigned to them by the Government of Biafra according to their respective competences.

125.2. Government of Biafra Decentralized structure shall promote the autonomous initiatives of citizens, both as individuals and collectivity in relation to activities of general interest, in pursuant to the principles of subsidiarity, differentiation and proportionality, to ensure inclusive implementation.

Article 126

126.1. Decentralized structure Administration shall have an autonomous annual budget with respect to revenues and expenditures. Municipalities and Wards shall have independent financial resources.

126.2. They shall set and levy taxes and collect revenues of their own, in compliance with the GC and according to the principles of coordination of the government finances and the tax system. They shall share in the tax revenues related to their respective territories.

126.3. The Government of Biafra Parliament shall provide an Equalisation Fund, with

no allocation constraints, for the territories having lower per-capita taxable capacity. That shall aim to promote economic development, social cohesion and solidarity, to reduce economic and social imbalances, to foster the effective exercise of the rights of the person or to achieve goals other than those pursued in the ordinary exercise of their functions. There may be legislative acts to allocate supplementary resources and adopt special measures in favour of specific Municipalities and Wards. Municipalities and Wards may resort to indebtedness only as a means of financing investment expenditure.

126.4. Government of Biafra shall provide collateral for Municipalities and Wards if they fail to comply with stipulated requirements, in the case of grave danger to public safety and security, or whenever such action shall be necessary to preserve legal or economic benefit and in particular to guarantee the basic level of benefits relating to civil and social entitlements, regardless of the geographic boundaries within which local authorities operate. Legislative acts shall lay down the procedures to ensure that substituted powers are exercised in compliance with the principles of subsidiarity and of loyal cooperation.

Article 127

Decentralised Autonomous structures shall not levy import or export or transit

duties between them or adopt measures that in any way obstruct the freedom of movement of persons or goods in the Biafran territorial jurisdiction. Decentralized structure Administration shall not limit the right of citizens to exercise their profession, employment or work in any part whatsoever of the Biafran territory.

Article 128

128.1. The administrative political organs of the Decentralized structure Administration shall be: the Council, the Executive Cabinet and the Head.

128.2. The Council shall exercise the deliberative powers attributed as well as the other functions conferred by the GC and other pertinent laws.

128.3. The Cabinet shall be the executive body.

128.4. The Head represents the structure; directs the policy-making of the Executive and shall be responsible for it; promulgates deliberation and statutes approved by the Council; directs the administrative functions delegated by the State, in conformity with the instructions of the Government of Biafra.

Article 129

129.1. The electoral system and the cases of ineligibility and incompatibility of the Head, the members of the Cabinet and the council shall be established by Statute and Deliberation in accordance with the fundamental principles delegated by

legislative acts of the Government of Biafra.

129.2. No person shall belong at the same time to the Autonomous Provincial legislative Chamber and State legislative chamber or to any international governmental organism elective post.

129.3. The decentralized structure Council organ shall elect a Speaker amongst its members as well shall establish the Office of the Speaker.

129.4. Legislative members shall not be answerable for the opinions expressed and votes cast in the exercise of their functions.

129.5. The Head and members of the Cabinet of the decentralized structure shall be elected by universal and direct suffrage.

Article 130

Judiciary systems of the Government of Biafra shall be established in the decentralized structure, in accordance with the rules established by the GC. Judiciary Sections may be established in places other than the headquarters.

Article 131

131.1. The Head of the Government of Biafra shall dissolve the decentralized Council and shall remove the Head of the Cabinet by mandate with stated reasons where there have been acts contrary to the GC or grave violations of the law.

131.2. Dissolution or removal shall also be mandated for reasons of Biafran peoples

security. The aforementioned mandate shall be implemented after consultation with the ad hoc Committee for the decentralized structure affairs that shall be set up in the manner established by legislative acts of the GC.

131.3 The decentralized structure Council organ shall with stated reasons adopt a motion of no-confidence against the Head of the Cabinet that shall be signed at least by one-fifth of its members and adopted with roll call vote by an absolute majority of members. The motion shall not be debated sooner than ten (10) working days after its introduction.

131.4. The adoption of a motion of no-confidence on a Head of the Cabinet elected by universal and direct suffrage, and the removal, permanent inability, death or voluntary resignation, triggers the resignation of the members of the Cabinet and the dissolution of the Council.

Article 132

The Government of Biafra shall challenge the governance validity of the decentralized Autonomous Legislative approved bill in the Supreme Court within sixty days of its publication. Same also by the decentralized structure over legislative acts.

Article 133

Creation of the decentralized structures of the Government of Biafra shall be legislatively established.

Article 134

After consultation with the decentralized Autonomous Provincial Legislative

Assembly, a merger between existing structure or the creation of new structure having a minimum of one million inhabitants may be determined when the request has been made by a Province representing not less than one-third of the populations involved, and the request has been approved through a referendum by a majority of said populations.

Article 135

Changes in decentralized territorial boundaries and the establishment of new government structures shall be regulated by the laws of the GC, after due consultation with the populations involved, shall establish through its deliberation new structures within its own territory.

**TITLE V : GOVERNMENT OF BIAFRA DECENTRALIZED STRUCTURE
SECTION 2: BIAFRAN DIASPORA**

Article 136

136.1. Biafran Diaspora shall be constituted by a diverse generation of Biafrans in Diaspora .

136.2. Biafran Diaspora shall have a legislative and representative capacity in the Biafran government with the electoral zones and constituencies in accordance with the legislative acts.

Article 137

Legislative acts shall remove any hindrances to the full equality of Biafran Diaspora citizens in social, cultural and economic life and promote equal access to elected offices .

Article 138

Bilateral and multilateral relations that may also envisage the establishment of joint bodies and liaison with the host countries of Biafran Diaspora, aimed at improving the Biafran national development and common good shall be encouraged.

Article 139

Government of Biafra may by legislation, delegate the exercise of other legislative and administrative functions to Biafran Diaspora Representatives. Biafra Diaspora Representatives in addition, exercises its legislative functions for the Diaspora constituency and other pertinent entities, or avails itself of their offices.

Article 140

The electoral system and the cases of ineligibility and incompatibility of the Biafran Diaspora Representative shall be established by Legislative electoral acts.

Article 141

First instance Liason Offices shall be established in every recognized Biafran

Diaspora Community, in accordance with the pertinent rules. Sections may be established in places other than the Biafran Diaspora Community Headquarters.

Article 142

The Head of the Government of Biafra shall be mandated to dissolve the Biafran Diaspora Community with stated motives where there shall be acts contrary to GC or grave violations of the law.

Dissolution or removal shall be mandated for reasons of Biafran peoples security.

The aforementioned mandate shall be adopted after consultation with the Committee for Biafran Diaspora affairs that shall be set up in the manner established by law.

Article 143

Government of Biafra shall establish Biafran Diaspora Electoral zones and constituencies as the case may be.

Article 144

After consultation with the Biafran Diaspora Community, a merger between existing Biafran Diaspora Community or the creation of new Biafran Diaspora Community having a minimum of 1000 resident Biafrans shall be determined by a legislative act, when the request has been made by a number of Biafran Diaspora Community representing not less than one-third of the populations involved, and the request has been approved by a majority of the said populations. This shall also be applicable

to merger of electoral zones and constituencies.

**TITLE VI: GOVERNMENT OF BIAFRA GC GUARANTEES
SECTION I : SUPREME COURT**

Article 145

The Supreme Court shall decide over controversies on law and order: validity of laws and enactments having the force of law adopted by the government; Conflicts arising from allocation of powers; Accusations made against the executive members and admissibility of Referendum.

Article 146

146.1. The Supreme Court shall be composed of Seven (7) judges, a third nominated by the Head of government of Biafra, a third by Parliament and a third by the Judiciary Councils on equal ratio.

146.2. The judges shall be chosen among judges, including those who are retired, of

the ordinary and supreme judiciary council, from full university professors of law with at least fifteen (15) years practice.

146.3. Judges of the Supreme Court shall be appointed for seven (7) years, beginning in each case from the day of their swearing in, and they shall not be reappointed. At the expiration term, the appointment and the exercise of the functions of the judge shall cease thereof.

146.4. The Supreme Court shall elect from among its members, in accordance with the rules established by law, a President who shall remain in office for Seventeen (17) years. Nominees shall not be older than fifty five (55) years.

146.5. The office of Supreme Court Judge shall be incompatible with that of Member of any legislative arm, with the exercise of the profession of lawyer and with every other appointment and office created by law.

Article 147

When the Supreme Court declares any law or enactment having the force of law illegitimate, the law ceases to have effect from the day following the publication of the decision. The decision of the Supreme Court shall be published and communicated to

all pertinent authorities.

Article 148

148.1. The Supreme Court in adherence to the GC shall establish the conditions, the forms, and the terms for challenges to legal validity, and the guarantees of the independence of the Supreme judges.

148.2. Ordinary laws shall establish the other provisions necessary for the establishment and functioning of the Court.

148.3. No appeals shall be allowed against the decision of the Supreme Court.

**TITLE VI: GOVERNMENT OF BIAFRA GC GUARANTEES
SECTION II : AMENDMENTS**

Article 149

149.1. Amendments to this GC and with other norms shall be adopted by the Legislative Assemblies after two successive debates at intervals of not less than three months, and shall be approved by a two -third majority of the members on the second round of vote.

Article 150

Government of Biafra GC shall be amended in accordance to the rules stipulated for the amendment; but shall not be suspended for any reason; except in times of imminent threat to the security and existence of the government, and only by decision

of the Government of Biafra Legislative bodies, and for specified period that shall not be infinite and shall be renewable in tranches at the discretion of the Head of Government of Biafra. Such status quo shall devolve back to the original status of the Government of Biafra GC should renewals not be granted, or in any other circumstance otherwise.

Article 151

The Government of Biafra GC Fundamental Principles shall not matter for constitutional amendment.

**GOVERNMENT OF BIAFRA GC
TRANSITIONAL AND FINAL PROVISIONS**

I. Upon the ratification and entry into force of the Government of Biafra GC, the Provisional Head of State shall exercise the role of Chancellor and assume the title : Interim Chancellor of the Government of Biafra. Shall be deputized in the role by the person nominated by the legislative body who shall assume the title: Deputy Interim Chancellor. The tenure shall be Eighteen (18) months. Extendable as shall be deliberated by legislative act.

II. The initial composition of the interim Legislative organ of the Government of Biafra, shall be made up of approved qualified legislators from Diaspora and Provinces of Biafra. By the mandate of the Interim Chancellor of the Government

of Biafra, they shall be ratified to be members of the Legislative organ. Right of Legislative membership may be renounced before the Interim Chancellor mandate.

III. The GC provisions on the question of international treaties, annual economic budget, shall become effective as from the date of the ratification and entry into force of the GC. The implementation document ceases to have any legal effect.

IV. Within two (2) years after the GC has come into effect the Transitional and final provisions in force shall be revised.

V. Till such reasonable time, when the Government of Biafra shall be fully in force in accordance with the GC, subject matters indicated in Part I (Titles I,II, III,IV), shall be under the power of the Interim Chancellor with the supervision of the legislative organ according to the forms and within the limits of the provisions already in existence before the entry into force of the GC.

Till such reasonable time, when the Judiciary and the Supreme Court begin to function, subject matters indicated in Part II (Titles IV, VI), shall be maintained under the power of the Interim Chancellor with the supervision of the legislative

organ according to the forms and within the limits of the provisions already in existence before the entry into force of the GC .

VI. Till such time when the GC stipulations on the reorganisation and redistribution of the administrative functions among the decentralized structures have been accomplished, subject matters indicated in Part II (Titles I,II,III,V), shall be maintained under the power of the Interim Chancellor with the supervision of the legislative organ according to the forms and within the limits of the provisions already in existence before the entry into force of the GC.

VII.

VII. Within two (2) years of the entry into force of the GC, the Government shall enforce laws to respect the requirements of decentralized structures and the deliberative regulatory power.

VIII. Pursuant to the GC provisions at the Part II (Title V), till such time when the GC stipulations has to be accomplished, subject matters indicated shall be maintained under the power of the Interim Chancellor with the supervision of the legislative organ according to the forms and within the limits of the provisions already in existence before the entry into force of the GC .

IX. The approved text of the Government of Biafra GC, instrument for the

declaration of the *De Facto Customary* status, shall be deposited in the halls of Biafra Municipal and Ward headquarters and shall be transmitted to all recognized communities of Biafran diaspora. Copies of the GC shall also be made available to the public.

The present GC shall be ratified by the Government of Biafra Legislative organ, in pursuant of the declaration of *De Jure* status and shall be promulgated by the Interim Chancellor of the Government of Biafra with immediate effect.

The GC, bearing the seal of the Government of Biafra, shall be included in the Official Records of the laws and decrees of the Government of Biafra.

The GC shall be observed as the foundational law of the Government and people of Biafra and to whom it may concern.

Statutory Declaration of the Government of Biafra GC shall be made by the Interim Chancellor, in absentia as shall be authorized by legislative act in pertinent Human Rights Tribunal and organisms deemed fit worldwide.

X. The Government of Biafra GC originally written in English language as the lingua franca shall within a reasonable time be translated into the ethnic languages or other languages as shall be decided by legislative act.

Validated and Opened for Signatories on this 28th Day of the Month of August of the Year 2021

Signed and Countersigned