

# **Biafra Charter**



**The Charter Constituting The Government  
of the Federation of Biafra**

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# Biafra Charter

## The Charter Constituting The Government of the Nation of Biafra

### I. DEFINITION of Charter:

This document, the Biafra Charter ("the Charter"), is the organic and foundational agreement for the establishment of a National Structure, Governance Structure, Governing Authority and a Basic Code of Conduct for the functionaries and peoples of Biafra.

The Biafra Charter is a formal instrument which at once constitutes:

- 1) Authority
- 2) Mandate
- 3) Contract
- 4) Memorandum
- 5) Terms of Reference
- 6) Reference

for the matters which are addressed or referenced by the Charter, and according as such matters are addressed or referenced therein, granted by the Nation of Biafra, through the collectivity of the representatives of the communities and peoples of Biafra, to the functionaries and for the functions stated in the Charter.

### II. PURPOSE of Charter:

1. The primary purpose of the Charter is to establish an enduring National Structure, Governance structure and Basic Code of Conduct for the people and the functionaries, as directed by the peoples of Biafra; which contribute to and inform a future National Constitution.
2. In addition, the Charter mandates the immediate formation of a Provisional Government of Biafra (BPG) to serve the Nation and People of Biafra during the period that Biafra is under the occupation of Nigeria.

### III. ORGANIZATION of Charter:

This document is sectionalized into:

- A. Biafra Charter Authorization
- B. The Federal Structure of Biafra
- C. The Charter Constituting the Government of the Federation of Biafra
- D. The Declaration of Nine Basic Laws
- E. Amendments

## ***A. Biafra Charter Authorization***

Whereas the Peoples and Nation of Biafra and their land and property find themselves under physical, sociologic, political, economic and psychological subjugation by the State of Nigeria since 1967, a "state of occupation," by Nigeria, of Biafra, has existed and continues to exist.

Unwilling to continue to live under such stifling servitude while suffering such indignities as are inappropriate for human beings,

determined to exercise the natural and legal rights to Freedom and Liberty,

NOW, therefore, We,

- the Peoples of the Federation of Biafra have RESOLVED to actualize, renew, re-affirm and continue with the Declaration of Biafra Independence of May 30 1967, with all the implications thereof.
- In re-affirming the Independence of Biafra, the Peoples and Nation of Biafra make neither war, nor peace, with the State or peoples of Nigeria; rather, we exercise a Natural right, a Popular right, a Political right, and a right supported by United Nations Organization Charter and International laws—the right of Self Determination;
- in the certain realization that only the effective exercise of Self-Determination by the Peoples and Nation of Biafra will end the state of occupation and subjugation by Nigeria of Biafra.

In furtherance of this exercise, the Biafra Charter, a formal organ of the People and Nation of Biafra, lends authority to, and issues a mandate for, the creation and formation of a Biafra Provisional Government (BPG).

### **1. BIAFRA PROVISIONAL GOVERNMENT (BPG)**

#### **I. MANDATE of BPG:**

1. to create, form, operate and manage a Provisional Government for and by the Peoples and Nation of Biafra; such government:
2. to function, in the meantime, as a bona fide government of Biafra in the manner of legal, customary and decent governments;
3. to secure the Freedom and Liberty of Biafra and its peoples from occupation by Nigeria, based on Self Determination paradigm and principles, with all haste and by all means necessary;
4. to represent the Sovereignty and Interests of Biafra and its people in the Region and in the World at large;
5. to project the Sovereignty, Independence and Humanity of Biafra and its people at all times;

6. to constitute a Transitional Governance of Biafra (TGB) immediately after liberation of Biafra from Nigeria for a specified and finite duration not to exceed four years, pending the formalization of Biafra State structures post-occupation and post liberation.

## **II. STRUCTURE of BPG:**

The BIAFRA PROVISIONAL GOVERNMENT shall consist of 2 arms:

1. A Biafra Government in Exile (BGIE), based outside of Biafra
  2. A Biafra Government within Biafra, to be known as "Biafra Shadow Government" (BSG)
- Both arms shall function in tight coordination, and in harmony, with the BGIE in the apex role.

## **III. FUNCTION of BPG:**

The sole function of BGIE and BSG is to carry out the Mandate of the BIAFRA PROVISIONAL GOVERNMENT as stated in the Biafra Charter Authorization.

1. BGIE shall respect existing laws of International hosting countries in furtherance of this Mandate.
2. BGIE shall respect international laws dealing with Self Determination and Protection of Human Rights and rely in particular on the Geneva Conventions Protocol II.
3. BSG will work with our peoples at home—in Biafra Territory; and in Nigeria (cognizant of the State of Nigeria's occupational forces foisted over our people), to keep alive and project Biafra's Sovereignty and Independence in accordance with the Mandate, and to mobilize, organize and manage our people for sociopolitical activism in order to carry out our resolve for Self Determination.
4. At all times, BGIE and BSG functions are to be well-coordinated, harmonious, complementary and seamless.
5. Following the liberation of Biafra from Nigeria, the Biafra Provisional Government (BPG) (consisting of BGIE and BSG together) shall form the nucleus of the TRANSITIONAL GOVERNMENT of Biafra (TGB), under the direction of the peoples of the Nation of Biafra, in order to conduct the governmental affairs of Biafra, guided by the Biafra Charter, for a period not to exceed 4 years, during which Biafra puts formal structures in place to continue and to succeed as a Nation under a permanent Constitution of the Nation of Biafra.

## **IV. CONDUCT:**

The conduct of the BIAFRA PROVISIONAL GOVERNMENT shall, at all times, adhere to the basic principles and laws of the Biafra Charter.

## **V. TERM:**

The term of the BIAFRA PROVISIONAL GOVERNMENT (BPG) shall last from now, May 30 2007 until Biafra is fully liberated from Nigerian occupation. Immediately after the full liberation of Biafra, the Biafra Provisional Government shall transform into the Transitional Government of Biafra (TGB) during which Biafra sociopolitical and civic structures shall be put in place, a period not to exceed four years. At the conclusion of that period, the Transitional Government of Biafra (TGB) shall, unconditionally, cease to exist; and shall be replaced by a duly constituted Government of Biafra, following a Constitutional Conference.

## ***B. The National Structure of Biafra***

### **1. The Structure of Biafra**

Biafra shall be constituted of autonomous self-governing, self-regulating entities called “Provinces,” along with their respective populations, who have mutually decided and mutually chosen to create an umbrella governance system called “The Government of the Federation of Biafra,” otherwise known as “Biafra,” to which these participating Provinces give the power and authority, carried out through the instrument of properly and formally elected representation of the Provinces, to constitute such “The Government of the Federation of Biafra,” with all the implications of “Government” thereof ; including:

- a. to represent, as a Nation, all the participating Provinces in all areas where such is required and is customary practice of modern Sovereign and Independent Nations, such as:
  - I. Defense and National Security
  - II. National Air Space and International Waters definition and management
  - III. International Trade and Foreign Exchange Management
  - IV. International Relationships and Diplomacy
  - V. International Borders, Boundary Definition and Management
  - VI. Citizenship and related issues, including Passport and Visas
  - VII. Currency
  - VIII. Census
- b. to make harmonized laws binding on all the Provinces and to apply and implement such laws uniformly among and within the Provinces;
- c. to ensure uniform citizenship rights of each and every Biafran citizen across and within the Provinces,
- d. to construct and maintain physical and functional systems facilitating communication, education, healthcare, energy supply, trade, transportation and National culture among all the Provinces.

### **2. The Participant Provinces**

The concept, use and practice of “Provinces” is designed to ensure autonomy and respect for every group; to encourage the unhindered thriving of every group; to protect, preserve and respect the right of ownership and management by each group of its own natural, material and socio-cultural resources; and to ensure adequate and equitable representation both locally and at the National level, thereby retaining real power in the hands of the communities.

- a) The geographic sub-units qualifying as “Provinces” and the criteria to be used will be determined by the peoples of Biafra, conscious of functional capability, practicality and stability factors.
- b) There shall be 11 (eleven) Provinces unless and or otherwise amended by the peoples of Biafra.
- c) Membership of a Province shall be automatic for all native peoples and other residents of the Provincial community at the time of creation of the Province;
- d) Residence within a Province for at least one year confers on one membership of that Province
- e) All rights of Citizenship of Biafra will be respected and enjoyed by all
- f) The Laws of Biafra shall take precedence over the laws of Provinces.

### 3. Counties

Each Province shall be made up of Counties which are the equivalent of local government areas and function as such.

## *C. The Charter Constituting The Government of the Nation of Biafra*

### 1. Preamble

We the Peoples of Biafra in praise of our God do hereby proclaim this government of Biafra by the power and authority of our common law founded in the expressed free will of our peoples. We do solemnly declare the promise of Biafra's posterity and our common commitment to the freedom, liberty, respect of human rights, prosperity, happiness and fulfillment of ourselves and the generations of Biafrans to come.

#### **Declaration of Principles:**

**Principle 1:** It is a fundamental truth that all of Biafra's peoples shall possess the first right of decision for the common good and each shall be respected with equal dignity.

**Principle 2:** The Biafran peoples possess the right of self-determination, and by virtue of that right freely choose a social, economic, political and cultural future according to their needs and customs.

**Principle 3:** The peoples of Biafra reserve the right to freely exercise their religious beliefs without coercion or expressed intolerance; and the government of Biafra shall not create or promote one religion over another; and neither shall the practice of bigotry, intolerance and or cruelty be condoned as a religious right.

**Principle 4:** The lands and natural wealth of Biafra shall belong to the respective peoples and communities of Biafra; and shall be secured to the peoples as individual private property and communal property; lands and natural wealth may be expressly conveyed (by the people) to the government of

Biafra for development purposes and for the collective benefit of all of Biafra's peoples in accord with laws of the land.

**Principle 5:** Each person possesses the fundamental right to information, knowledge and ideas; and to write, speak and otherwise express himself or herself freely; the Government shall make no law in principle or kind abridging these rights.

**Principle 6:** The government shall not enter property or dwellings or take personal property without authorization by locally elected community leaders or by a competent court of law.

**Principle 7:** No people among Biafran peoples shall be denied their culture; each culture shall be fully respected under the law; and all cultures shall be held in the highest respect as equally valued.

**Principle 8:** The first language of the government of Biafra shall be English, but each community may opt to conduct local government matters and decisions, trade and education in the local language, and such shall be respected.

**Principle 9:** All powers not specifically vested in the government of Biafra shall remain in the Biafran communities.

## 2. ARTICLE I

### The Structure and Powers of the Government of Biafra

#### Section I: Legislative:

##### Section 1.1 The Peoples Council

There shall be a Peoples Council made up of Biafran Peoples which shall have the powers as enumerated:

- [A] Establish and mint currency.
- [B] Levy Taxes
- [C] Originate a budget and Appropriate Revenues for the benefit of the Peoples of Biafra
- [D] Originate laws for good order and the conduct of civil society.
- [E] Raise an army
- [F] Authorize a Declaration of War
- [G] Oversee the execution of laws

##### Section 1.2 Council Membership and Service:

[A] The Peoples Council shall have membership from all levels of Biafra society where each person who shall be at least the age of majority (18 years) shall be elected by his or her community to represent the community.

[B] Each member of the Peoples Council shall serve a term of three years for no more than three terms.

[C] The Peoples Council shall define its rules of procedure.

During the period of transition, the membership of the Peoples Council shall encompass members from the Diaspora and individuals from the Territory of Biafra with a total of one hundred and fifty members who shall serve as Counselors-At-Large representing Biafran citizens.

No Counselor shall receive compensation except as provided by the Provisional Government (BPG), and no payment shall be lawful from any other source either directly or indirectly. When a Counselor shall seek the support of the citizens to take and hold office, no payment shall exchange hands between the citizens and the Counselor in any manner for the purpose of conducting a campaign to promote or advertise one's candidacy. The Provisional Government of Biafra shall be the sole source of campaign finance whose funds shall be distributed equally among qualifying candidates.

### Section 1.3 The Nations Chamber

There shall be a Nations Chamber comprised of thoughtful and judicious persons elected from their communities for their wisdom and their character in society with the powers as enumerated.

[A] Advice and Consent on the appointment of members of the Judiciary and the Ministry.

[B] Oversight of Peoples Council, Judiciary and Ministerial arms of government

[C] Staggered term of 6 years

[D] Ratification of Treaties with foreign powers

[E] Authorization for the establishment of Embassies and Consulate information offices.

### Section 1.4 Nations Chamber Membership and Service:

[A] The Nations Chamber shall have membership from all levels of Biafra society where each person shall be a recognized and respected elder with demonstrated wisdom and good character and who shall be well informed as to the necessary requirements for serving the peoples of Biafra.

[B] Each member of the Nations Chamber shall serve a term of six years except for two thirds of those serving in the first Session.

[C] One third of the Nations Chamber shall be elected in the first session for two-year term, One third shall be elected for a four year term and one third shall be elected for a six year term. After the conclusion of the first two-year term, elections shall be held for those seats that shall have concluded;

and the winning candidates shall hold their seat for a six year term thereafter. After the conclusion of the first four-year term, elections shall be held for those seats that shall have concluded: and the winning candidates shall hold their seat for a six year term thereafter. Finally, at the conclusion of the first six-year term, elections shall be held for those seats that shall have concluded; and the winning candidates shall hold their seat for a six-year term thereafter.

[D] Each member of Nations Chambers shall serve no more than 2 consecutive terms of 6 years each.

During the period of transition the membership of the Nations Chamber shall include members from the Diaspora and individuals serving citizens within Biafran Territory with a total of eight members representing the Diaspora; and 22 members (two from each Province) serving the citizens living inside Biafran Territory. During the Transition, the Nations Chamber shall convene its sessions at locations adjudged feasible and secure.

### **3. Article II**

#### **Section I: Judiciary**

A general purpose Court of Law shall be established with a Superior Court which shall have jurisdiction over all legal matters concerning the Charter and its interpretation, and three Appellate Courts having Jurisdiction over matters of civil and criminal law, in the northern, middle and southern Provinces of the Nation of Biafra. Community decisions made by relevant authorized community-structures, or by a local Civil Court, may be legally challenged by formal appeal to the Appellate Court and to the Superior Court for final judgment.

The Judiciary reviews and adjusts, when necessary and appropriate, the laws originating from the Peoples Council to be in consonance with the Charter.

#### **Section II: Membership**

There shall be seven members serving the Superior Court appointed as a result of nomination by the Peoples Council; and subject to approval and ratification by 3/5<sup>ths</sup> of the membership of the Nations Chamber, with the same requirements for filling vacant Judiciary seats. Where new Judiciary positions are required, they shall be created by the authority and decision of the Nations Chamber and the Peoples Council. The Judiciary shall define and determine its rules of procedures.

### **4. ARTICLE III**

#### **Section I: Ministerial**

##### **Prime Minister**

There shall be a Council of Ministers with the First Minister serving as "first among equals." The office and official title of the First Minister shall be "Prime Minister." The Prime Minister shall be elected by a majority vote of the peoples of Biafra. The Prime Minister shall have primary executive powers subject to oversight by the Nations Chamber. The Prime Minister shall have the power to veto legislative measures enacted by the Peoples Council, but such a veto shall be overturned by 3/5<sup>th</sup> vote of the Peoples Council.

## **Section II: Membership of Ministerial Council**

Members of the Ministerial Council shall be nominated by the Prime Minister and shall require 3/5<sup>th</sup> majority vote of the Nations Chamber for appointment and ratification.

## **Section III: Ministerial Posts**

During the Provisional Government there shall be at a minimum, a Minister of Foreign Affairs, Minister of Security, Minister of Domestic Affairs, Minister of Justice and Minister of Economic and Commerce Affairs. Such additional Ministries shall be created as needed by recommendation of the Prime Minister and approval and ratification of the Nations Chamber.

# **5. ARTICLE IV**

## **Section I: "Community" Governments**

Community governance shall strongly reflect effective community participation directly and or by representation or delegation; and shall reflect community issues, needs, and community values.

Community governance shall, for the most part, mirror the National governance in structure, scaled appropriately. Such structure consists of a "debate-discussion-and-legislative" body, an oversight body, an executive body with a chief executive officer, and a Judiciary.

## **Section II: Tiers of Community Government**

- a. Provincial Government (Apex Government)  
Chief Executive Officer : Provincial Administrator  
Other elected members: Representatives.
- b. County Government (Local Government)  
Chief Executive Office: County Manager  
Other elected members: Councilors
- c. Municipal Government (City / Urban)  
Chief Executive Officer: Mayor  
Other elected members: City Council Member
- d. Town / Village Government  
Chief Executive Officer: Chairman

### **Section III: Community Government functional Structure**

- a. Community Legislative Council: Peoples Council of representatives
- b. Community Judiciary Council: Judiciary functions
- c. Community Oversight Council: Elected Elders based on wisdom and character
- d. Community Executive Council: with a chief executive officer elected by the people.

### **Section IV: Powers of Community Governments**

Communities may not make laws contrary to the Biafra Charter

## **6. ARTICLE V**

All representative membership of the governments in Biafra shall be by open ballot election by the peoples.

### ***D. Declaration of Nine Basic Laws***

#### **1. Identity**

The identity of each individual is traceable through the mechanism and family of human species, the larger family or circle of the universe, to an ultimate Original Principle which may be personified or personalized in a manner that affords the most meaning to the individual. Therefore, the individual is seen as a direct expression of that Original Principle; the Charter shall not allow, respect or support any law or laws, which by their nature or application or implementation, diminish or militate against this attribute and identity of the individual.

#### **2. Rights**

[A] The basic and original rights (Fundamental Rights) of an individual are not earned and not assigned but naturally accrue to the individual by virtue of the fact of the individual's identity as recognized above, whence such rights derive. The Charter shall not allow or respect any arrogation resulting in the deliberate or calculated curbing or denial of such rights.

[B] The tangible and material aspects of these rights include, but are not limited to:

- I) Freedom and Liberty
- II) Life and Existential Fulfillment
- III) Knowledge, Education and Enlightenment and their application
- IV) Evolution and Creativity

### 3. Laws

[A] The goal of Laws is to set common standards and common reasonable boundaries governing relations between or among individuals or parties for their mutual benefit.

[B] It is self-evident that all laws are constructed by human beings and for human beings, and are designed to deal with human perceptions, conflicts, uncertainties, anxieties and vulnerabilities.

[C] Since laws reflect changing human needs, human understanding and perceptions, laws are not to be static, but are to be reviewed and revised accordingly, always with the goal of protecting the basic and original rights of the individual and respecting the individual's inviolable identity as declared above.

[D] Laws shall be made by the collectivity of the people to reflect, not necessarily the majority or the minority, but the best judgment of the people and the highest understanding of their identity and fundamental rights as declared above. In doing so, the people shall devise and design and revise as necessary the ways and means and mechanisms of making laws in order to suit them and their needs.

[E] No laws shall be imposed or foisted on the people by any institution or persons or principalities or by any other arrangement. The people shall make their own laws by whatever mechanisms they choose, and ratify such laws by whatever mechanism they choose, and live by those laws.

[F] It shall never be the goal or objective of any law or laws to make or force on a perfect, crimeless society because human behavior is never collectively or even individually perfect, no matter what the accepted norms are. The design of laws and the prescription of consequences of breaking laws shall be guided by this understanding in order to avoid placing undue burdens and obnoxious oppression on the law-abiding society.

[G] The Charter of the government of Biafra may be amended according to rules set by the People; but shall not be suspended for any reason; EXCEPT in times of imminent threat to the security and existence of the nation, and only by decision of Nations Chamber, and for specified periods not to exceed 60 days, renewable in 60-day tranches at the discretion of the Nations Chamber; at the request of the Prime Minister. The situation devolves back to the original Charter should renewals not be granted, or in any other circumstance otherwise.

### 4. Governance

The people shall choose how they will govern themselves. Such governance will always function in such a way that it is transparently obvious that in deed and in fact, the people are governing themselves, by themselves. The fact that the people choose a mode or mechanism to effect governance shall never be construed to mean the ceding or handing over of the function, instrument, authority and or power of governance to that mode or its agents and agencies. Such agents and agencies serve only at the discretion and pleasure of the people, and wield as much power as delegated by, and on behalf of the people, ready to relinquish such at the command of the people. Under no circumstances shall the

ownership of the power and other trappings and attributes of governance, and governance itself, leave the people or be taken from the people.

## **5. Government**

[A] The people may choose "Government" as a modality and agency to carry out the powers of governance. Such Government becomes a service whose master is the people, whose terms are determined by the people; a service rendered for the people and to the people, functioning at the pleasure of the people, for as long as the people desire its services. No Government shall be, or shall act as a master over the people, or a master of the people. Above all, no Government shall be independent of the people, or "set itself apart" from the people, or set itself as a parallel process or entity with regards to the people. No persons or agencies working in Government shall "rule" over the people or rule the people, or arrogate to him/her/itself any powers or authorities of rulership of the people or over the people; but such must at all times be servants of, and subordinate to, the people, where full accountability and responsivity are required at all times.

[B] The people shall determine the form of Government that suits the people, consistent with the principles declared above, and their options shall not be limited to prevailing styles and forms around the contemporary world.

[C] The sole purpose of Government is to facilitate, within the authority, power and resources allocated to it by the people, in every manner feasible, the growth, development and fulfillment of the people in a safe, secure, healthy and just environment.

## **6. Secularity**

[A] The Nation of Biafra is founded on the Original Identity Principle which declares the self-evident: that the individual is an expression of the ultimate Original Principle, with Whom or with Which the individual shares and enjoys a unique, unalterable relationship. It is up to the individual to personalize and or personify this relationship according to the individual's understanding.

[B] As such, the Nation as a collective does not endorse any particular religion, and freedom of religion-choice, association and worship is guaranteed. The supreme laws that regulate and arbitrate interactional behavior and transactions among citizens of Biafra shall at all times derive from the Nation's constitution, regardless of the parties' religious affiliation.

[C] The Nation of Biafra does not recognize as Religions institutions that propagate hatred, bigotry, racism, sexism and inequality of human beings as their primary doctrine; nor does it recognize as religion any institutions or institutional practices which do not recognize the fundamental rights of the individual as declared above, or which as a matter of doctrine violates those rights. The Nation of Biafra does not recognize as Religions institutions which preach or practice coercion, including forced conversions or forced membership. No exceptions shall be made just because of the acceptance or classification of such institutions as religions elsewhere.

## **7. Responsibility of Citizenship**

The prime duty and responsibility of every citizen is to know, respect, protect, and to defend the fundamental rights, as declared above, of other citizen(s) and of himself or herself, all citizens being equal and treated equally, without exception. A huge part of this duty is to make all efforts to ensure that the government and governance are under the direct control of the people at all times, and not the other way around. It is the supreme duty of the citizenry to own and exercise the Sovereignty of the Nation and not cede such to the "State" or to the government.

## **8. Property Ownership**

The sanctity of rightful ownership is to be preserved at all times and in all circumstances, reflected by the respect of ownership rights-whether it be physical property, natural property, intellectual property, or any other form or type of property; property of an individual, group(s), institution or organization; or communal, community or government property. The rights of ownership of property include but are not limited to: control, maintenance, management and disposition. Under no circumstances would Government violate such rights; rather, Government will use its instruments to determine, validate and or assign rightful ownership in case of dispute or doubt; and to enforce laws, which respect and protect these rights.

## **9. International Relationships**

The People, through their government, shall determine the relationship of the Nation of Biafra with other Nations and States of the world. There should be no incongruity between the attitude of the Peoples and their government towards any other Nation. Biafra recognizes and respects the rights of other individuals from other Nations; and the International rights of such Nations; and expects the same in return. Biafra has a strong preference for mutually peaceful inter-national relationships.

## ***E. Amendments***

This Charter may be modified or amended when necessary by 3/4 vote of the Peoples Council and 3/4 vote of the Nations Chamber.

## **IV. Affirmation and Approval**

This Charter is hereby authorized and affirmed by the approving hand of Biafran Leaders from the Diaspora and the Territory of Biafra indicated by the stroke of their signatures on the date of approval by each signer. The Charter shall come into force immediately upon approval.

**May 30 2007**