



**SENATE OF THE
FEDERAL REPUBLIC OF NIGERIA
ORDER PAPER**

Wednesday, 17th July, 2019

1. Prayers
2. Approval of the Votes and Proceedings
3. Oaths
4. Announcements (if any)
5. Petitions

PRESENTATION REPORTS

1. Ad-hoc Committee on the Screening of Presidential Nominees

Sen. Folarin, Teslim Kolawole (*Oyo Central*)

-That the Senate do consider the Request of Mr. President C-n-C on the Confirmation of the Nomination of the following persons:

| S/No | Name | Position | Geo-Political Zone | Remarks |
|------|----------------------------|----------------------------|--------------------|-------------------|
| 1. | Engr. Uba A. S: Maska | Executive Commissioner | North West | Re-Appointment |
| 2. | Aliyu Sa'idu Abubakar | Non-Executive Commissioner | North East | Fresh Appointment |
| 3. | Prof. Millionaire Abowei | Non-Executive Commissioner | South South | Fresh Appointment |
| 4. | Abdulazeez Mohammed Salman | Non-Executive Commissioner | North Central | Fresh Appointment |

for Appointments as Executive Commissioner and Non-Executive Commissioners of the Nigerian Communications Commission (NCC) in accordance with Section 8(1) of the Nigerian Communications Commission Act, 2003 - *To be Laid.*

2. Ad-hoc Committee on the Screening of Presidential Nominees

Sen. Folarin, Teslim Kolawole (*Oyo Central*)

-That the Senate do consider the Request of Mr. President C-n-C on the Confirmation of Professor Habu S. Galadima for Appointment as the Substantive Director General, National Institute for Policy and Strategic Studies (NIPSS) in accordance with the provisions of Section 5(2) of the National Institute for Policy and Strategic Studies (NIPSS) Act - *To be Laid.*

ORDERS OF THE DAY

CONFIRMATION OF NOMINATION

1. Confirmation of Nomination

Confirmation of Honourable (Dr.) Justice Ibrahim Tanko Muhammad CFR for Appointment as Chief Justice of Nigeria (CJN)

Sen. Abdullahi, Yahaya Abubakar (*Kebbi North-Senate Leader*)

-That the Senate do consider the request of Mr. President, C-in-C, for the confirmation of Honourable (Dr.) Justice Ibrahim Tanko Muhammad CFR for appointment as Chief Justice of Nigeria - *Committee of the Whole.*

MOTIONS

1. Devastating Storm in Obosi, Nkpor and Oraukwu Communities of Anambra State.

Sponsor: Sen. Ekwunife, Uche Lilian (*Anambra Central*)

Co-sponsors:

| | |
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| Sen. Yaroo, Binos Dauda (<i>Adamawa South</i>) | Sen. Apiafi, Betty Jocelyn (<i>Rivers West</i>) |
| Sen. Ubah, Ifeanyi Patrick (<i>Anambra South</i>) | Sen. Fadahunsi, Francis Adenigba (<i>Osun East</i>) |
| Sen. Balogun, Kola Ademola (<i>Oyo South</i>) | Sen. Moro, Patrick Abba (<i>Benue South</i>) |
| Sen. Barau, I. Jibrin (<i>Kano North</i>) | Sen. Bamidele, Micheal Opeyemi (<i>Ekiti Central</i>) |
| Sen. Folarin, Teslim Kolawole (<i>Oyo Central</i>) | Sen. Egwu, Samuel Ominyi (<i>Ebonyi North</i>) |
| Sen. Basse, Gershom Henry (<i>Cross River South</i>) | Sen. Urhoghide, M. Aisagbonriodion (<i>Edo South</i>) |
| Sen. Odebiyi, Tolulope Akinremi (<i>Ogun West</i>) | Sen. Orji, Theodore Ahamefule (<i>Abia Central</i>) |
| Sen. Abaribe, Enyinnaya Harcourt (<i>Abia South</i>) | Sen. Abdullahi, Aliyu Sabi (<i>Niger North</i>) |
| Sen. Abdullahi, Yahaya Abubakar (<i>Kebbi North</i>) | Sen. Adamu, Abdullahi (<i>Nasarawa West</i>) |
| Sen. Adamu, Muhammad Aliero (<i>Kebbi Central</i>) | Sen. Adeola, Solomon Olamilekan (<i>Lagos West</i>) |
| Sen. Adetunmbi, Olubunmi Ayodeji (<i>Ekiti North</i>) | Sen. Adeyeye, Clement Adedayo (<i>Ekiti South</i>) |
| Sen. Ahmad, Babba Kaita (<i>Katsina North</i>) | Sen. Akinyelure, Patrick Ayo (<i>Ondo Central</i>) |
| Sen. Akpan, Albert Basse (<i>Akwa-Ibom North East</i>) | Sen. Akwashiki, Godiya (<i>Nasarawa North</i>) |

The Senate:

Notes with deep concern, the devastating storm that took place during the weekend at Obosi, Nkpor Oraukwu Communities in Idemili North LGA of Anambra State, which destroyed a lot of homes and rendered the residents of that area homeless. Shops, Markets, and Roads were not also spared, as they are all in a state of great devastation. The residents were forced to flee and take refuge in neighbouring towns and villages. Properties and goods worth billions of Naira were destroyed. This worsened the state of erosion sites that were already ravaging the area;

Notes also that Obosi, the home town of the former Common Wealth Secretary General, Emeka Anyaoku, and one of our colleagues Senator Mike Ajaegbo and also another important commercial town which deals on Auto Spare Parts with a land Mass of 16.973sq.km, and more than 14 active erosion sites, has lost about 4.02sq.km of their land mass, that is 23.7% of its total land mass to the erosion;

Notes that unless immediate steps are taken to control the widening erosion gullies, the residents of these communities will continue to be exposed to greater risk of loss of life and properties;

Concerned that these gully erosion sites, which usually cover more than 1sq.km and ranges in size from 10-15 meters wide to 15-30 meters deep, are posing a great threat to the economic activities of the Nkpor and Obosi communities, and the safety of the people living in the area;

Aware that of all the states in the Southeast zone, Anambra State has been identified as the worst hit by the erosion menace, with over 1000 active erosion sites existing in the state;

Further aware of recent reports and studies indicating that over 20% of the total land mass of ANAMBRA State is being devastated by different stages of flooding and gully erosion;

Worried that Nkpor, which is a major commercial town in Anambra State with a landmass of 13.88sq.km has lost about 2.09sq.km, which is 15% of the total land mass to gully erosion, affecting about 16,023 people some of whom have been rendered homeless;

Notes further that the worst incidents of these erosion menace occur during the rainy season between the months of March and October of every year, and constitute a major disruption to the social and economic activities of these communities; and

Desirous of taking immediate remedial measures to check the scourge of this erosion menace in these communities and provide immediate relief to the affected communities.

Accordingly resolves to:

- i. **Request** the Ecological Funds Office to immediately visit the affected areas, provide remedy and advance solutions to this erosion menace; and
- ii. **Direct** the National Emergency Management Agency (NEMA) to provide relief materials and all other support as may be necessary to mitigate the damages suffered by these communities.

2. **Urgent need to ascertain the status of the Nigerian Extended Continental Shelf Project.**

Sponsor: Sen. Sekibo, George Thompson (*Rivers East*)

Co-sponsors:

- | | |
|--|---|
| Sen. Omo-Agege, Ovie Augustine (<i>Delta Central</i>) | Sen. Bwacha, Emmanuel (<i>Taraba South</i>) |
| Sen. Abaribe, Enyinnaya Harcourt (<i>Abia South</i>) | Sen. Melaye, Dino (<i>Kogi West</i>) |
| Sen. Abdullahi, Yahaya Abubakar (<i>Kebbi North</i>) | Sen. Apiafi, Betty Jocelyn (<i>Rivers West</i>) |
| Sen. Akpan, Albert Bassey (<i>Akwa-Ibom North East</i>) | Sen. Diri, Douye (<i>Bayelsa Central</i>) |
| Sen. Urhoghide, M. Aisagbonriodion (<i>Edo South</i>) | Sen. Alkali, Saidu Ahmed (<i>Gombe North</i>) |
| Sen. Ordia, Akhimienmona Clifford (<i>Edo Central</i>) | Sen. Gaya, Kabiru Ibrahim (<i>Kano South</i>) |
| Sen. Tofowomo, Nicholas Olubukola (<i>Ondo South</i>) | Sen. Na'allah, Bala Ibn (<i>Kebbi South</i>) |
| Sen. Nwaoboshi, Peter Onyeluka (<i>Delta North</i>) | Sen. Oko, Rose Okoji (<i>Cross River North</i>) |
| Sen. Onor, Sandy Ojang (<i>Cross River Central</i>) | Sen. Okorochoa, Anayo Rochas (<i>Imo West</i>) |
| Sen. Bassey, Gershom Henry (<i>Cross River South</i>) | Sen. Orji, Theodore Ahamefule (<i>Abia Central</i>) |
| Sen. Degi-Eremienyo, W.Biobarakuma (<i>Bayelsa East</i>) | Sen. Kalu, Orji Uzor (<i>Abia North</i>) |
| Sen. Adamu, Muhammad Aliero (<i>Kebbi Central</i>) | Sen. Onyewuchi, Ezenwa Francis (<i>Imo East</i>) |
| Sen. Alimikhena, Francis Asekame (<i>Edo North</i>) | Sen. Akinyelure, Patrick Ayo (<i>Ondo Central</i>) |
| Sen. Tinubu, Oluremi Shade (<i>Lagos Central</i>) | Sen. Mpigi, Barinada (<i>Rivers South-East</i>) |
| Sen. Ewhrudjakpo, Lawrence O. (<i>Bayelsa West</i>) | Sen. Boroffice, Robert Ajayi (<i>Ondo North</i>) |
| Sen. Eyakenyi, Akon Etim (<i>Akwa-Ibom South</i>) | Sen. Manager, James Ebiowou (<i>Delta South</i>) |

The Senate:

Notes that on 7th May, 2009, Nigeria made a formal submission to the United Nation's Commission on the Limits of the Continental Shelf (CLCS) stating its intention for an extension of her Continental Shelf beyond the 200 nautical miles from the baselines from which the breadth of the territorial sea is measured;

Notes further that the submission is sequel to the provision of Article 76 of the United Nations Convention on the Law of the Sea (UNCLOS) which allows coastal states to make additional claim of between 200 nautical miles to a maximum of 350 nautical miles (650 miles) beyond their Exclusive Economic Zone of 200 Nautical miles (about 370km), if the coastal state is able to prove through scientific data and information that the seabed and the subsoil of the marine area of its territorial sea is a natural prolongation of its land territory to the outer edge of the continental margin;

Aware that every coastal state has a seaward delimitation of its territorial waters and for the purpose of insight, it is as follows:

- **Territorial Waters:** This is the breadth of a coastal state territorial sea not exceeding 12 nautical miles, measured from the baseline of the coastal state as provided by the Convention;
- **The Contiguous Zone:** This is adjacent to the territorial waters and does not extend beyond 24 nautical miles from the baseline from which the breadth of the territorial sea is measured;
- **The Exclusive Economic Zone:** This is beyond and adjacent to the territorial sea and shall not extend beyond 200 nautical miles measured from the baseline from which the territorial sea is measured and is only claimable if the coastal state's seaward boundary is not encumbered by another coastal state; and
- **Extended Continental Shelf:** This is a prolongation of the seabed and the subsoil of the marine area beyond the exclusive economic zone of a coastal state and is only claimable if the state is able to prove

through scientific information backed by data and argument that the seabed and the subsoil of the marine area of its territorial sea extends beyond the 200 nautical miles exclusive economic zone. The United Nation's Convention allows such additional claim to a maximum of 350 nautical miles;

Notes also that Nigeria's claim for an extension of her continental shelf from 200 to 350 nautical miles is achievable and thus set up an inter-ministerial Technical committee in the year 2000 which has been coordinated by the National Boundary Commission and has been in the forefront of the project;

Aware that on the submission of her claim, Nigeria set up an office in the United Nation's office with some Nigerian experts trained for that purpose and foreign consultants engaged for overseeing the day to day activities of the project;

Understands also that the President of the Federal Republic of Nigeria, His Excellency, Muhammadu Buhari set up a High Powered Presidential Committee (HPPC) on 5th November, 2015, being chaired by the Attorney General of the Federation for the purpose of a proper follow up to the successful claim of the submission. This is as recommended by the Senate in 2013. The Senate had, in its Order Paper of 14th February, 2013, "urged the Federal Government to urgently fund the Project, as the officers in the UN had not received their allowances for about two years at that time; so the Project went dormant. Thus the Project suffered hiccups of funding from Government, first for about eighteen months, then for about three years, till November 2015, when President Muhammadu Buhari constituted the above committee and defrayed the outstanding financial commitments;

Observes that Nigeria has already invested a lot of taxpayers money in the project for the collection of geological, geophysical and hydrographic data but has not yet completed the process from its commencement in 2000 after the adoption of the United Nations Convention on the Law of the Sea in 1997, and it will be economically unwise for the Federal Government to foot-drag on the Project at this time, as this will also portray Nigeria in a bad light at the UN;

Notes further that Nigeria laid a claim of 8,000Km² (approximately twice the size of Lagos State) in her first submission made in 2009 which could be improved upon if Nigeria's submission was based on morphology supported by geology as against the evidence to the contrary used in gathering her technical data that was submitted in 2009;

Knows that the Extended Continental Shelf when achieved would be an additional seaward territory beyond the Exclusive Economic Zone of 200 nautical miles over which the country already has sovereignty rights;

Knows further that Article 77 of the United Nations Convention on the Law of the Sea has given exclusive rights with regard to exploration and exploitation of such resources to the coastal state that has been able to claim the territory as prescribed by the Convention, as given below:

- The coastal state exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources;
- The rights referred to in paragraph 1 are exclusive in this sense that if the coastal state does not explore the continental shelf or exploit its natural resources, no one may undertake these activities without the express consent of the coastal state;
- The right of the coastal state over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation; and
- The natural resources referred to in this part consist of the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organism which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil;

Similarly, Article 81 also gives an exclusive drilling right to the coastal state that has been able to claim its Extended Continental Shelf, see below:

- The coastal state shall have the exclusive right to authorize and regulate drilling on the continental shelf for all purposes;

Recalls that in 2013, the Senate of the Federal Republic of Nigeria expressed its displeasure on the failure of the Federal Government to defray her financial commitment which had delayed the review and approval process after a lot of tax-payers money has been invested into the projects;

Notes that the Extended Continental Shelf is strategically important to any coastal state that is able to go through the rigorous process of approval. The importance among other things include naval activities and national security both on the sea, the seabed and the airspace, as well as valuable resources as Sedentary fisheries, Bio-prospecting of deep ocean diversity, diverse types of minerals, including diamonds, phosphorite, Sulphur, coal, iron and hydrocarbons. These are in addition to abundant Energy Resources of oil and gas which have been estimated to account for about 90% of exploited seabed minerals;

Understands that Nigeria would gain more as offshore oil well produced about 30% of the 85 million barrels of oil output per day in 2010. This means that with enough oil and gas prospecting infrastructure on offshore exploration and exploitation, the country would harvest more oil and gas than what it currently being produced onshore;

Believes that offshore Oil and Gas production when fully established would drastically reduce militancy incursion on oil pipelines, kidnapping of oil and gas workers, as well as eradicate illegal bunkering, thus further reduce environmental pollution as it is today;

Informed that between August and September 2015, the United Nations Commission's Subcommittee - Commission on the Limit of the Continental Shelf (CLCS) met about twelve times in New York for the review of Nigeria's submission and made certain recommendations that need to be rigorously followed up to conclusion;

Understands that after the release of the funds in 2016, Nigeria made an amended submission to the UN, based on the 'General Rule' of morphology backed by geology and geophysics, and that the amended submission contained increased outer limits, making a claim for far much bigger area (about 19km² or 5 times the size of Lagos State) than the submission in 2009; and

Believes that the Senate of the Federal Republic of Nigeria which has helped push the Project forward all along need to as a matter of urgency ascertain the status of the submission of the Extended Continental Shelf Project and make further deliberate effort for its completion before it is time barred.

Accordingly resolves to:

- i. *Commend* the President of the Federal Republic of Nigeria for setting up the High Power Presidential Committee with the mandate to coordinate the activities of the Extended Continental Shelf Project;
- ii. *Urge* the President not to relent in his efforts to fully support the project to its conclusion by defraying the outstanding financial commitment to the Nigerian office (the United Nation residents' team) Set up for the Project at the United Nations and the foreign consultants to enable them concentrate effort to obtain a positive recommendation from the United Nations body (The UN Commission on the Limits of the Continental Shelf);
- iii. *Invite* the United Nations Resident Team to brief the Senate in four weeks on the Status of Nigeria's claim of her Extended Continental Shelf; and
- iv. *Direct* its Committee on Marine Transport which functions includes Marine Resources Development, Inland Water Ways and International Marine Agreements when constituted, to diligently follow up activities of the Nigerian Extended Continental Shelf Project and regularly brief the Senate.

COMMITTEE MEETINGS

| No. | Committee | Date | Time | Venue |
|-----|--|--|--------|--|
| 1. | Ad-hoc Committee on Legislative Agenda | Wednesday, 17 th July, 2019 | 1.00pm | Committee Room 224 Senate New Building |

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| 2. | Ad-hoc Committee on Pipeline Explosion in Komkom, Rivers State | Thursday, 18 th July, 2019 | 2.00pm | Committee Room 204 Senate New Building |
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