



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 8th November, 2006

1. The Senate met at 10:20 a.m. The Senate President read Prayers.
2. Votes **and** Proceedings:
The Senate President announced that he had examined the Votes and Proceedings of Tuesday, 7th November, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Announcement:**

Conference Committee on the Auditor-General for the Federation Bill 2006:

The Senate President named **the** underlisted as Conferees:

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|-------|---------------------------|---|----------|-----------------|
| (i) | Senator Mamman Ali | — | Chairman | (North East) |
| (ii) | Senator Udoma Udo Udoma | — | Member | (South South) |
| (iii) | Senator Timothy Adudu | — | Member | (North Central) |
| (iv) | Senator Abubakar Maikafi | — | Member | (North East) |
| (v) | Senator Ibikunle Amosun | — | Member | (South West) |
| (vi) | Senator Joy Emodi | — | Member | (South East) |
| (vii) | Senator Dalhatu S. Tafida | — | Member | (North West) |

Matter of Urgent Public Importance:

Political situation in Anambra State:

Rising on Rules 42 and 52, Senator Ben Obi invited the attention of the Senate to the political situation in Anambra State. He sought and obtained the leave of the Senate for the issue to be debated forthwith as a Matter of Urgent Public Importance.

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Motion made and Question Proposed: That whereas the legislature and the Judiciary in Anambra State have ignored the resolutions of the Senate as passed on Thursday, 26th October 2006 with regards to respect of the provisions of the constitution concerning impeachment processes which requires two-third Inajority of all members of the State Assembly;

WHEREAS the legislative business of the Anambra State House of Assembly in the recent past will not be regarded as normal **in** the true meaning of democratic seating of a House of Assembly due to crises and fractionalization of the Assembly;

WHEREAS two speakers leading two different groups of the House has emerged as well as two distinct Clerks of the Assembly each operating along the lines of factions;

WHEREAS the Onitsha Lodge where the Governor sleeps most of the time was burnt a night after, and thank God he left the place few hours before the fire that destroyed the entire House and made it completely uninhabitable;

AND WHEREAS this Senate resolved never to condone legislative rascality in State Assemblies anymore or Constitutional abuse by any state judicial officer:

Be it resolved:

That the Senate do:

- (i) condemn in very strong terms the burning of the Governor's lodge at Onitsha.
- (it) condemn in very strong terms the absence of legislative due process in the early morning impeachment of Governor Peter Obi.
- (in) once again appeal to the National Judicial Council to remind the State Chief Judges of the need to comply strictly with the provisions of the Constitution.
- (iv) agree that since fifteen (15) out of thirty (30) members of the State House of Assembly do not meet the two third (2/3) majority as enshrined in Section 188 of the 1999 Constitution of the Federal Republic of Nigeria, there was no impeachment in Anambra State (*Senator Ben N. Obi*).

Debate:

Prayer (i):

Question, that the Senate do condemn in very strong terms the burning of the Governor's lodge at Onitsha — *Agreed to*.

Prayer (ii):

Question, that the Senate do condemn in very strong terms the absence of legislative due process in the early morning impeachment of Governor Peter Obi.

Amendment Proposed:

Leave out prayer (ii) (Senator David Bridigi).

Question that the amendment be made put and agreed to.

Prayer (iii):

Question, that the Senate do once again appeal to the National Judicial Council to remind the State Chief Judges of the need to comply strictly with the provisions of the Constitution — *Agreed to*.

Prayer (iv):

Question, that the Senate do agree that since fifteen (15) out of thirty (30) members of the State House of Assembly do not meet the two third (2/3) majority as enshrined in Section 188 of the 1999 Constitution of the Federal Republic of Nigeria, there was no impeachment in Anambra State.

Amendment Proposed:

Leave out prayer (iv) (Senator David Mark) .

Question that the amendment be made put and agreed to.

Resolved:

- (i) That the Senate do condemn in very strong terms the burning of the Governor's lodge at Onitsha.
- (ii) That the Senate do once again appeal to the National Judicial Council to remind the State Chief Judges of the need to comply strictly with the provisions of the Constitution (*S. Res. 70/06*).

5. Motion:

Senate Independent Investigation into the ADC Plane Crash:

Motion made and Question Proposed: That whereas on Sunday, 29th October 2006, Nigeria witnessed the fourth major plane crash within a year which brought a National calamity in its wake, claiming 99 lives including two of our distinguished colleagues Senator Badamasi Muhaminadu Maccido (Sokoto North) and Senator Sule Yari Gandi (Sokoto East) and His Eminence, the Sultan of Sokoto, Alhaji Mohammed Maccido Abubakar III;

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WHEREAS a catalogue of air disasters continues to plague this country, including the following:

- (i) Bellview Crash at Lisa, Ogun State on 22nd October 2005 that claimed 117 lives;
- (ii) Sosoliso Plane Crash of 10th December 2005 which also claimed 107 lives including 60 secondary school children;
- (iii) Light aircraft crash in Kaduna Airport;
- (iv) Airforce plane crash of September 2006 near Vandekia in Benue State; and
- (v) ADC plane crash of 29th October 2006 which claimed 99 lives including Senators.

WHEREAS the Federal Government set up enquiries to unearth the causes of these frequent accidents **with** a view to preventing future occurrence, just as this Senate passed several resolutions and in one case, set up a Special Committee to investigate the remote causes of those crashes, the rapidity of these air mishaps has become alarming, overwhelming, frightening and therefore totally unacceptable to **this** Distinguished Senate;

WHEREAS these investigations and enquiries have yet to be concluded and its findings published, the time has come for the Senate to take urgent and radical steps to restore hope in our Aviation Industry which is fast losing the confidence of the air traveling public in particular and Nigerians in general. This independent investigation should be a totally different one from what we did in the past, so that we can unravel the causes and the measures to take in the future to ensure that our skies are free of the kind of accidents witnessed this past one year.

Be it resolved:

That the Senate do:

- (i) note the prompt action of the Senate Leadership and Senators by visiting the crash sight shortly after the crash and leading a delegation to pay condolences to the government and people of Sokoto State.
- (ii) appreciate the prompt action of the Executive in providing aircraft to convey distinguished Senators, Honourable Members, government functionaries and the corpses of the deceased from Abuja to Sokoto.
- (in) investigate the level of compliance by industry practitioners of the provisions of the Nigerian Civil Aviation Regulations.
- (iv) set up a 7-man Independent Civil Aviation Panel to investigate the immediate and remote causes of the ADC flight 053 air crash of Sunday, 29th October, 2006.
- (v) empower the committee to draw from the resources and expertise of the International Civil Aviation organization and other foreign experts in air safety along with indigenous experts from the Aviation industry in Nigeria (*Senator Dalhatu S. Tafida and 5 others*).

Debate:

Prayer (i):

Question, that the Senate do appreciate the prompt action of the Executive in providing aircraft to convey distinguished Senators, Honourable Members, government functionaries and the corpses of the deceased from Abuja to Sokoto — *Agreed to*.