

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 7th June, 2006

1. The Senate met at 10. 20 a.m. The President read Prayers.
2. Votes and Proceedings:
The Senate President announced that he had examined the Votes and Proceedings of Thursday, 1st June, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.
3. Messages from the President:
The Senate President announced that he had received two letters from the President, Commander-in-Chief which he read as follows:
(A)



PRES/134

3 June 2006.

*The Senate President,
Senate of the Federal Republic of Nigeria,
Senate Chambers,
National Assembly Complex,
Abuja.*

Dear President of the Senate,

2006 NATIONAL POPULATION CENSUS: SUPPLEMENTARY
EXPENDITURE FROM EXCESS CRUDE ACCOUNT

I write to bring to your notice details of supplementary expenditure incurred last March from the Excess Crude Account to facilitate the successful conclusion of the 2006 National Population Census.

You would recall that initial delays were experienced in conducting the enumeration exercise for the 2006 National Population Census. These delays, which were associated with logistical hitches, resulted in non-coverage of a sizeable population, particularly in rural areas and threatened the success of the exercise. Several State Governors contacted me during the period to express their concern about the situation and request for my intervention to avert failure.

After due consultation with key stakeholders, I granted an extension of two days to enable the National Population Commission satisfactorily conclude the exercise. The additional cost resulting from this extension amounted to N2,187,193,480 (Two billion one hundred and eighty seven million one hundred and ninety three thousand four hundred and eighty Naira) only. The bulk of this amount (N2.07 billion) was for payment of allowances to about 770,000 functionaries (supervisors, coordinator and enumerators) While the remaining amount was for fueling, transportation and other logistics. The European Union, which had provided some financial support for the exercise, including payment of allowances, could, however, not meet the incremental cost of the extension, due to administrative constraints.

As no budgetary provision had been made by the government for this supplementary cost, and given the urgency of the situation, I convened an emergency meeting of stakeholders, including Revenue Mobilization, Allocation and Fiscal Commission, to discuss possible funding options. I also consulted extensively with several State Governors and the ALGON, following which, it was agreed that the only way to fund this was to source money from the Excess Crude Account. We all agreed it was a national emergency to save the Census. Accordingly, I granted approval for the money to be debited from the Excess Crude Account, the dollar-equivalent of which amounted to US\$17,290,067.04 (Seventeen million, two hundred and ninety thousand and sixty-seven dollars). The bulk of this amount (N2.07 billion) was credited directly to the account of the United Nations Development Programme, Nigeria Office, which was responsible for administering the allowances.

May I request that this information should be formally communicated to the Senate.

Yours Sincerely,

Signed:

OLUSEGUN OBASANJO

(B)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PEES/134

30 May 2006

The Senate President, Senate
Chambers, National Assembly
Complex, Three-Arms Zone,
Asokoro - Abuja.

Dear President of the Senate,

PORTS AND HARBOUR AUTHORITIES BILL 2005

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill which seeks to:

- (a) provide an appropriate institutional framework for the ownership, management, operation, development and control of ports and harbours to ensure the integrity, efficiency and safety of the ports based on the principles of accountability, competition, fairness and transparency; and
- (b) encourage private investment in port infrastructure, promote private sector participation in the provision of port services and facilities and promote and safeguard Nigeria's competitiveness and trade objectives.

I hope the Bill will receive prompt attention of Distinguished Members of the Senate.

Yours Sincerely,

Signed: **OLUSEGUN OBASANJO**

4. New Legislative Session: Remarks by the Senate President



PRESIDENT OF THE SENATE
FEDERAL REPUBLIC OF NIGERIA

TEXT OF REMARKS BY SENATOR KEN NNAMANI,
PRESIDENT, SENATE OF THE FEDERAL REPUBLIC OF NIGERIA,
TO OPEN THE FOURTH SESSION OF THE FIFTH SENATE ON
WEDNESDAY, JUNE 7, 2006 AT THE SENATE CHAMBERS

"Let's Remain Focused"

Distinguished colleagues, on May 31, 2006, I addressed this distinguished chambers on the glorious achievements we recorded in the defence of democracy and economic prosperity for Nigerian people in the last legislative years. I urged you all to take a deserved rest from the daunting task of legislation and oversight activities. But, as is evident, our rest is short-lived. Today, barely 7 days after end of third session of this senate, we have resumed plenary deliberation. This is a clear testimony of our commitment to duty and our passionate embrace of the challenges of advancing Nigeria's democracy. We have hardly rested. Now, we must rise up to fresh challenges. We have resumed deliberation because we deeply care about the state of the nation; we care much about the hopes and aspirations of ordinary Nigerians who look up to this Senate to articulate their desire for a better future, a future of freedom and prosperity.

During the last legislative session this Senate considered and passed many Bills that signpost our commitment to consolidate democracy and sustain economic reform. This Senate, together with the House of Representatives, passed the Electoral Act 2006 few days before the close of session. The passage of the Electoral Act has cleared an important hurdle towards a free and fair election. We await the assent of Mr. President to the Act to fully empower the Independent National Electoral Commission (INEC) to conduct free and fair elections.

Although the passage of the Electoral Act is an important milestone in the journey to legitimate and credible elections in 2007, there are still credible threats to a free and fair election. As representatives of the people, part of our responsibility in this legislative year will be to support INEC with other legislative and policy instruments that will enable it discharge its responsibilities creditably.

As we resume plenary in the fourth session of the Senate, we all face greater challenge and bear graver responsibility to ensure that the impetus for democratization and economic reform is sustained. We worked hard in the last years to promote the welfare and protect the liberty of Nigerian citizens. We will work harder this year to ensure that the gains of liberty and prosperity are not rolled back. We worked hard last session to provide legislative framework to the managers of the economy so that they may be effective in steering the economy out of high waters. This legislative year, we will work harder to get the ship of state closer to safe harbour. As we begin the last session of this Senate it is my fervent prayer that every Senator finds the strength of mind and body to concentrate on the arduous tasks ahead.

My distinguished colleagues, it appears we have posted an excellent record. We are now faced with the more difficult task of sustaining excellence. We will succeed because we derive strength from our commitment. Our commitment remains the same: to uphold the integrity of the Senate and provide effective legislative framework to enable the Executive to entrench democracy and consolidate economic reform. In furtherance of this commitment, next week we will swing to action with confirmatory hearing on Mr. President's nominees for ministerial posts. This is one of our constitutional responsibilities. As always, we will discharge it with thoroughness, sagacity and fairness.

Distinguished colleagues, welcome to the Fourth Session of the Fifth Senate. May we have more grace and strength to sustain excellence!

Thank you,

*Signed:
Senator Ken Nnamani
President
Senate of the Federal Republic of Nigeria*

5. Matter of Urgent Public Importance:

Security Situation in Aba (Abia State):

Rising on Rules 42 and 52, Senator Adolphus Wabara invited the attention of the Senate to the atmosphere of absolute insecurity of lives and properties in Aba, Abia State as a result of the daily unchallenged attacks of armed robbers on innocent citizens. He sought and obtained leave of Senate to present a Motion on the issue as a Matter of Urgent Public Importance.

Motion made and Question Proposed: That whereas the enforcement of peace, security and the rule of law is the constitutional responsibility of governments at all levels;

WHEREAS the Federal Government's response to this state of anarchy has been evidently inadequate, in spite of the three petitions by the Abia State government to the Federal Government;

WHEREAS in the fourth petition sent to the President of the Federal Republic of Nigeria, the Abia State Government pleaded for a joint Military/Police Patrol at Aba and its environs, because the alarming situation, has deteriorated beyond the level which the Police alone could handle;

WHEREAS Aba is the commercial nerve centre of South East zone and the closure of banks and petrol stations and the total disruption of business activities are daily inflicting phenomenal economic losses not only on the town but in fact through out the Eastern part of Nigeria;

WHEREAS on the average, either a Policeman and/or an innocent citizen is killed daily by these armed bandits;

WHEREAS bullion vans conveying money are also being hijacked with ease, killing in most cases the escorts attached thereto. As we speak now, more than fifteen policemen killed are in the mortuary;

WHEREAS the Police in Aba appear helpless, as is evidenced by the continued daily activities of the armed bandits;

WHEREAS just last week, precisely from 30th May to 4th June, 2006, commercial activities came to a halt as banks and traders closed shops for fear in protest of the incessant robbery attacks; and

WHEREAS further delay by the Federal Authorities to handle the situation could trigger off social insurrection as is evident from last week's massive demonstration of women who bitterly complained that for four consecutive days, there was not a single Police Patrol in Aba streets and that the Police had a habit of arriving at a scene of violent robbery long after the robbers had departed - a demonstration reminiscent of Aba Women Riot of the colonial period in 1929.

Be it resolved: That:

- (i) this Distinguished Senate request the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria to take urgent measures including the establishment of a joint Military/Police Patrol to arrest the state of anarchy in Aba.
- (ii) this Distinguished Senate do urge the Inspector General of Police to re-organize and reposition the Police formation in Aba, with a view of combating violent robbery.
- (iii) the recent President Olusegun Obasanjo's marshal plan for the Niger Delta region in providing jobs for the youths be extended to the two Eastern States of Abia and Imo to enable the youths be gainfully employed as unemployment may be part of the reasons for the wide spread robbery.
- (iv) the Senate Committee on National Security and Intelligence, in conjunction with Senate Committee on Police Affairs be directed to undertake a proper and detailed study of the situation, and make appropriate recommendations timely (*Senator Adolphus Wabara*).

Debate:

Prayer (i):

That this Distinguished Senate requests the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria to take urgent measures including the establishment of a joint Military/Police Patrol to arrest the state of anarchy in Aba.

Amendment Proposed:

Immediately after the word "measures" in line 2, *leave out* the words "including the establishment of a joint Military/Police Patrol to arrest the state of anarchy in Aba" and insert the words "to arrest the state of anarchy in Aba in particular and the country in general" instead thereof (*Senator Ike Ekweremadu*).

Question that the amendment be made, put and agreed to.

Prayer (i):

That this Distinguished Senate request the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria to take urgent measures including the establishment of a joint Military/Police Patrol to arrest the state of anarchy in Aba.

Prayer (ii):

That this Distinguished Senate do urge the Inspector General of police to re-organize and reposition the Police formation in Aba, with a view of combating violent robbery.

Prayer (iii):

That the recent President Olusegun Obasanjo's marshal plan for the Niger Delta region in providing jobs for the youths be extended to the two Eastern States of Abia and Imo to enable the youths be gainfully employed as unemployment may be part of the reasons for the wide spread robbery.

Amendment Proposed:

Leave out prayers (ii) and (iii) (*Senator Daniel I. Saror*).

Question that the amendment be made, put and agreed to.

Prayer (iv):

That the Senate Committee on National Security and Intelligence, in conjunction with Senate **Committee** on Police Affairs be directed to undertake a proper and detailed study of the situation, and make appropriate recommendations timely.

Amendment Proposed:

Immediately after the word "recommendations" delete the word "timely" and *insert* the words "within three weeks" instead thereof (*Senator John K. Brambaifa*).

Question that the amendment be made, put and agreed to.

Prayer (iv):

That **the** Senate Committee on National Security and Intelligence, in conjunction with Senate Committee on Police Affairs be directed to undertake a proper and detailed study of the situation, and make appropriate recommendations within three weeks — *Agreed to.*

Resolved:

(i) That this Distinguished Senate request the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria to take urgent measures including the establishment of a joint Military/Police Patrol to arrest the state of anarchy in Aba.

(ii) That the Senate Committee on National Security and Intelligence, in conjunction with Senate Committee on Police Affairs be directed to undertake a proper and detailed study of the situation, and make appropriate recommendations within three weeks (**S. Res./058/06**).

7. Confirmation of Nominations:

Motion made and Question Proposed: That the Senate do consider the request of the President, Commander-in-Chief for the confirmation of the following nominees as Ministers of the Government of the Federal Republic of Nigeria

- | | | | |
|-------|----------------------------------|---|---------------|
| (i) | Engr. Elias Nwalem Mbam | — | Ebonyi State |
| (ii) | Mr Sayyadi Abba Ruma | — | Katsina State |
| (iii) | Chief (Mrs.) Salome Audu Jankada | — | Taraba State |
| (iv) | Mr. BalaBawa Ka'Oje | — | Kebbi State |

- (v) Mrs. Amina J. Ibrahim — Gombe State
- (vi) Mr. **Olufemi** Fani-Kayode — Osun State
(Senate Deputy Majority Leader).

Request accordingly referred to the Committee of the Whole for consideration on Wednesday, 14th June, 2006.

8. Public Order Act (Amendment) Bill 2006 (SB. 298):

Motion made and Question Proposed: That the Public Order Act (Amendment) Bill 2006 be read Second Time (Senator Tokunbo Afikuyomi).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report within four weeks.

9. Committees on Aviation and Special Duties:

Report on Investigation on Beliview Flight 210 Crash:

Motion made and Question Proposed: That the Senate do consider the Re-presentation of the Joint Committee on Aviation and Special Duties on the Investigation on Beliview Flight 210 Crash (Senator Muhammed Ibrahim).

Question put and agreed to.

Report presented and Laid.

Debate:

Motion made and Question Proposed: That the Report be recommitted to the Joint Committee for further legislative action (Deputy Senate Majority Leader).

Question put and agreed to.

10. Committees on Foreign Affairs:

Report on Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and Other Destructions and for purposes connected therewith 2006:

Report by leave of Senate stood down till the next legislative day.

11. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 8th June, 2006 at 10:00 a. m. (Deputy Senate Majority Leader).

Adjourned accordingly at 1. 58 p. m.

Ken Nnamani
President of the Senate