



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 16th April, 2008

1. The Senate met at 10.15 a.m. The Deputy Senate President read prayers.
2. **Votes and Proceedings:**
The Deputy Senate President announced that he had examined the Votes and Proceedings of Tuesday **15th**, April, 2008 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. **Announcements:**
(i) The Deputy Senate President read a letter from Senator Dahiru U. Kuta as follows:



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ionai Assembly Complex. Three Arms Zone, R M.S. 141

16th April, 2008

*Your Excellency, The
Senate President,
Distinguished Senators*

BIRTHDAY (ANNOUNCEMENT)

This is to inform you that, by the special grace of God, I am 59 years old today, the 16th of April.

Thirty (30) out of these years have so far been spent in the struggle for the emancipation of the common man and the masses generally, from the clutches of oppression, hunger and deprivation.

Distinguished colleagues, please join me in thanking God for His wonderful support. You may also wish to join me in praying to the Almighty for more productive years ahead.

Thank you.

*Long Live the Leadership of the Senate
Long Live Distinguished Senators and the Senate
Long Live Democracy
Long Live the Federal Republic of Nigeria*

*Signed
Senator (Comrade) Dahiru Awaisu Kuta
Niger-East Senatorial District
Niger State.*

(ii) **Committee Membership replacement:**

The Deputy Senate President announced that Senator Adamu Muhammadu Sidi-Ali would replace Senator Usman Jubrin Wowo in the following Committees:

- | | | | |
|-----|----------------------|---|---------------|
| (a) | Petroleum (Upstream) | — | Vice Chairman |
| (b) | FCT | - | Member |
| (c) | Navy | — | Member |
| id) | Works | — | Member |

4. Presentation of Bill:

FCT Appropriation Bill 2008 (SB.98) — *Read the First Time*

5. Motion:

Joint Committee on Constitution Review (JCCR):

Motion made and Question Proposed: That the Senate notes the complaints by Nigerians of different persuasions of the loopholes, discrepancies and anomalies inherent in the Constitution of the Federal Republic of Nigeria, 1999 and their adverse effects on the polity;

Further notes the calls and agitations from all segments of our society for the review of the 1999 Constitution for the purpose of determining the most suitable political structure as well as the institutional framework for the peace, good governance and progress of the country;

Aware that the grievous hardship, discrimination, inequality and rancour within the Nigerian polity have been attributed to the inherent discrepancies, anomalies, loopholes and lacunae in the 1999 Constitution;

Worried that the continued delay in the review and amendment of the 1999 Constitution, contrary to the yearnings and agitations of the Nigerian people, is capable of undermining the democratic progress in the country;

Conscious of the fact that Section 9 of the said Constitution confers on the National Assembly the power to initiate constitutional amendments;

Equally aware that the Fourth and Fifth National Assemblies embarked on the patriotic duty of reviewing and amending the 1999 Constitution but could not conclude the exercise due to political reasons;

Accordingly resolves to:

- (i) *Set up a Joint Committee of the Senate and House of Representatives for the purpose of ensuring an in-depth examination of the provisions of the 1999 Constitution vis-a-vis the agitations and proposals from the Nigerian people;*
- (ii) *Constitute a Joint Committee with Seventy four (74) members- two (2) from each State of the country and Federal Capital Territory (FCT)- one (1) from the Senate and one (1) from the House of Representatives respectively.*
- (iii) *Mandate the Joint Committee to conduct public hearings with a view to receiving inputs from stakeholders in all parts of the country;*

(iv) *Propose* amendments to the Constitution that enjoy nationwide support (Senate Majority Leader).

Debate:

Prayer (i):

That the Senate do set up a Joint Committee of the Senate and House of Representatives for the purpose of ensuring an in-depth examination of the provisions of the 1999 Constitution vis-a-vis the agitations and proposals from the Nigerian people— *Agreed to*.

Prayer (ii):

That the Senate do constitute a Joint Committee with seventy four (74) members - two (2) from each State of the country and Federal Capital Territory (FCT)- one (1) from the Senate and one (1) from the House of Representatives respectively — *Agreed to*.

Prayer (Hi):

Mandate the Joint Committee to conduct public hearings with a view to receiving inputs from stakeholders in all parts of the country;

Amendment Proposed:

Leave out all the words immediately after the word "stakeholders" and **insert the** words "in all the thirty-six States of the Federation and the Federal Capital Territory, Abuja" instead thereof (*Senator Mohammed Adamu Alien*)).

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

(iv) *Propose* amendments to the Constitution that enjoy nationwide support — *Negatived*.

Resolved:

(i) That the Senate do set up a Joint Committee of the Senate and House of Representatives for the purpose of ensuring an in-depth examination of the provisions of the 1999 Constitution vis-a-vis the agitations and proposals, from the Nigerian people.

(ii) That the Senate do constitute the Joint Committee with Seventy four (74) members- two (2) from each State of the country and the Federal Capital Territory (FCT)- one (1) from the Senate and one (1) from the House of Representatives respectively.

(Hi) That the Senate do mandate the Joint Committee to conduct Public Hearings with a view to receiving inputs from Stakeholders in all the thirty-six States of the Federation and Federal Capital Territory, Abuja (*S. Res/059/08*).

6. Motion:

/// treatment of the People of Nembe Local Government of Bayelsa State by Armed Soldiers stationed in the locality:

Motion made and Question Proposed: That the Senate notes that on 1st May 2006, a detachment of armed soldiers were deployed to Nembe town in Nembe Local Government Area of Bayelsa State obviously to protect oil installations in the area due to agitations over lack of development in the area;

Observes with great concern and utmost disappointment that the soldiers instead of facing the primary duty of protecting the oil installations as directed ambushed innocent law abiding citizens of **the** locality inflicting series of injuries on them with untold hardship;

Notes also that owing to the high-handedness of the soldiers, there had been series of complaints from the people that the soldiers should be relocated to areas where oil installations exist;

Observes that the soldiers now constitute themselves into mobile courts in the community and perform duties that ordinarily belong to the Police in civil matters.

Observes further that the continued stay of the soldiers in the community instead of the location of oil installations where they were directed to protect is already constituting breach of peace in the community as the people's lives are no longer safe due to the maltreatments received in the hands of the soldiers.

Accordingly resolves to:

- (i) **Draw** the attention of the President, Commander in Chief of the Armed Forces, to the nefarious activities of the detachment of soldiers in Nembe community which in a way constitute serious breach of the fundamental rights of the people of the locality to move freely on their land in pursuance of their daily lawful activities.
- (ii) **Direct** relevant Committees of the Senate to cause investigation on the matter and report findings to the Senate for consideration (*Senator Nimi Barigha Amange*).

Debate:

Prayer (i):

That the Senate do draw the attention of the President, Commander in Chief of the Armed Forces to **the** nefarious activities of the detachment of soldiers in Nembe community which in a way constitute serious breach of **the** fundamental rights of the people of the locality to move freely on their land in pursuance of their daily lawful activities — *Negatived*.

Prayer (ii):

That the Senate do direct relevant Committees of the Senate to cause investigation on the matter and report findings to the Senate for consideration.

Amendment Proposed:

Leave out all the words immediately after the word "direct" in line 1, and *insert* the following instead thereof:

"Committees on Defence and Army, National Security and Intelligence, and Judiciary, Human Rights and Legal Matters to investigate the matter and report its findings to the Senate within two weeks" (*Senator Teslim K. Folarin*).

Question that the amendment be made put and agreed to.

Resolved:

That the Senate do direct Committees on Defence and Army, National Security and Intelligence, and Judiciary, Human Rights and Legal Matters to investigate the matter and report its findings to the Senate within two weeks (*S. Res/060/08*).

7. Hydroelectric Power Producing Areas Commission Bill:

Motion made and Question Proposed: That the Bill for Act to Establish the Hydroelectric Power Producing Areas Development Commission and to vest it with the responsibility of managing the ecological menace, due to operation of dams and to provide for other matters in connection therewith 2008 (SB. 03) be read the Second Time (*Senator Dahiru A. Kuta*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Power and Steel to report within six (6) weeks.

8- Committee on Petroleum Resources (Upstream):

Report on the Nigerian Oil and Gas Industry Content Development Bill 2008 (SB. 81):

Consideration of Bill stood down to the next legislative day.

9. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 17th April, 2008 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1.35 p.m.