



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 8th February, 2005

1. The Senate met at 10.10 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings of Thursday, 3rd February, 2005 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Matter of Urgent Public Importance:**
The Transition of Oba (Dr) Samuel Oyeade Mofolorunso Lipede the "Alake of Egbaland"
Rising to a Point of Order (Rule 42), Senator Ibikunle Amosun invited the attention of the Senate to the transition of the Alake of Egbaland. He sought leave of the Senate to invoke Rule 52 to enable the Senate debate the issue forthwith as a Matter of Urgent Public Importance:

Question that Rule 42(2) be suspended to enable the matter be debated forthwith put and agreed to.

WHEREAS Oba Dr Samuel Mofolorunso Lipede, the Alake of Egbaland in Ogun Central Senatorial District of Ogun State, Nigeria joined his ancestors on Thursday February 3, 2005, having lived a fulsome life of 90 years;

WHEREAS Oba Dr Samuel Oyeade Mofolorunso Lipede ascended the throne of his forefathers as the 9th Alake of Egbaland on August 5, 1972 and ruled for over 32 fruitful years;

WHEREAS the Egba Kingdom in Ogun State, Nigeria witnessed unprecedented economic, social and political development during his reign;

WHEREAS the Egba Kingdom witnessed this milestone development through his belief and preachment of peace and unity among the people of Egbaland and Ogun State;

WHEREAS Ogun State was created during his reign and many Egba sons and daughters like President Olusegun Obasanjo, late Chief MKO Abiola, Chief Earnest Shonekan, to mention just a few rose to prominence in Nigeria and internationally;

WHEREAS Oba (Dr.) Samuel Oyeade Mofolorunso Lipede was a great nationalist who served Nigeria meritoriously in the Customs Service for many years and was Chancellor, Tafawa Balewa University Bauchi, until his demise;

WHEREAS Oba Samuel Oyeade Mofolorunso Lipede, a detribalised Nigerian, bestowed traditional titles on eminently Distinguished Nigerians among them, the President of this Distinguished Senate, Rt. Hon. Adolphus Wabara and his wife;

Be it resolved:

- (i) That the Senate do observe one minute in silence in honour of Late Oba Dr Samuel Oyebade Mofolorunso Lipede.
- (ii) That the Senate do commiserate with the family, the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, Chief Olusegun Obasanjo, the Governor, the Government and people of Ogun State by sending a delegation to Ogun State.

Debate:

Several Senators paid glowing tribute to the Late Oba (Dr.) Samuel Oyebade Mofolorunso Lipede.

Prayer (i):

Question: That the Senate do observe one minute in silence in honour of Late Oba Dr Samuel Oyebade Mofolorunso Lipede — *Agreed to.*

Prayer (ii):

Question: That the Senate do commiserate with the family, the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, Chief Olusegun Obasanjo, the Governor, the Government and people of Ogun State by sending a delegation to Ogun State — *Agreed to.*

Resolved:

- (i) That the Senate do observe one minute in silence in honour of Late Oba Dr Samuel Oyebade Mofolorunso Lipede.
- (ii) That the Senate do commiserate with the family, the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, Chief Olusegun Obasanjo, the Governor, the Government and people of Ogun State by sending a delegation to Ogun State (*S. Res. 04/05*).

4. **Public Safety and the VIP Closures of the Nnamdi Azikwe International Airport, Abuja:**

Motion made and Question Proposed: That whereas this Airport, serving, as it does, our capital city, is a prime aviation facility in the country. It provides both domestic and international flights in the whole range of aviation specialization: regular passengers flights, cargo carriers, private aviation, the Nigerian Air Force as well as government flights by all arms of the Executive, visiting foreign leaders and delegations and aviation control operations, like civil aviation;

WHEREAS the Airport is very busy and will only get busier as the aviation industry expands with passenger flights, both domestic and international, and for the Nigerian Air Force who are building their barracks nearby. As protocol flights will remain at least at the current level; but very likely greater in view of Nigeria's highly activist and leadership roles in foreign affairs, and our high flying foreign policy means that plenty of foreign dignitaries will be more than frequently in and out of Abuja through the Nnamdi Azikwe International Airport;

WHEREAS our customary demonstration of hospitality and friendship means special airport arrangements for each VIP flight and that, so far, means closures of the international airport for "varying" period of time to all landings and take off pending the VIP formalities and that some of these VIP flights, apart from all the time spent on the ground, need up to 40 minutes of lead time after take off;

WHEREAS these closures are inconvenient, time and resource wasting and fraught with aviation security risk to other flights, especially when the VIP movements are of the nature of an international Head of Government Conference, when it could be a nightmare, as happened on Monday, January 31st and Tuesday February 1st 2005 to mark the A.U. Conference of Head of States and Government arriving for and departing home from the Conference, when large numbers of Nigerians were unnecessarily exposed to the loss of life and limb as they tried to arrive into or leave the N.A.I. Airport those two days;

WHEREAS on Tuesday February 1st, 2005, Senator Dahiru (Sokoto South) and I left Yola for Abuja on board an ADC Airline Boeing 737 flight departed from Yola at 7.30 a.m. to Lagos via Abuja, and while the flight was scheduled to land at Abuja at 8.30 am, we landed at 10.30 am;

WHEREAS over two hours of the extra time was taken hovering over Abuja NAI airport. The pilot informed us, when he arrived over the Airport that there was a VIP closure of the airport but that it would not last too long, but, half an hour later, we were still in the air, due to land "as soon as possible";

WHEREAS visibility in the Abuja area was worsening, after we hovered for about two hours, the pilot told us that he would have to declare a state of emergency and land soon after, whether he was allowed to do so or not and this sent a shiver of a rumour that there was something actually wrong with the plane and that the VIP closure story was just a ruse to comfort passengers;

WHEREAS we disembarked to meet the anxious relatives there waiting and those at both ends of our journey, afraid of the worst, the airport law enforcing personnel promptly arrested our pilot for landing against instructions, and arrested as well as the pilot of another affected aircraft, Sosoliso Airline from Enugu which was also arrested because he too declared a state of emergency and landed;

WHEREAS this "land and be arrested" order seems to be the routine treatment meted out to pilots who land when closure orders were on, regardless of their respective circumstances, and furthermore it is sad to observe that throughout the Monday morning, up to 10.30 am, no plane could depart Abuja, including the British Airways flight to London which was also grounded and that the closure might also have affected In-bound Hajj flights;

WHEREAS the most recent VIP closures represented a great danger to public safety, leading to congestion of the airspace and increasing the danger of collision by hovering aircrafts and that too many aircrafts in the airspace stress the control tower staff and increase the chances of them making grave human errors with disastrous consequences;

WHEREAS it is common knowledge that the serviceability of most of the domestic passenger aircraft is short of the international safety standards and in a situation of poor visibility, the risk of collision or crash is much higher especially in a mountainous area like Abuja;

WHEREAS the passengers consist of all sorts of people; women, children, the aged, the infirm people being medivacd (medically evacuated) and the easily perturbed, and that many of these could come to terminal grief from rarefication, anxiety or shortage of needed oxygen and other forms of first aide, or could set off a commotion from mid air panic especially as a result of rumours on board;

WHEREAS it is inconceivable that any other country of the status of Nigeria will agree to close its premier city airport, even for a while, for reasons other than dire emergencies, like runway fires etc, and more will likely put the lives of its people at risk simply to demonstrate hospitality to foreigners even if they are friends;

WHEREAS the delay hovering in the air is not only perilous, it is very expensive; in aircraft ammortisation, in company time, in the time lost by the passengers in their business etc, and that the fall out could be in estimable;

WHEREAS delaying international operation, like the British Airways, erodes confidence in our business sense and in the favourable estimation of investors even if they have been informed, as well as these frequent closures are not acceptable because they remove confidence in our business methods and ethics, and that we may also face nasty reciprocation elsewhere or even court actions;

WHEREAS these closures lead in the minds of the people to deep but unnecessary resentment of leaders, who may have nothing to do with the actual insult in the place at all, and is politically costly to an elected government and Party;

WHEREAS adequate notice of the recent disruption was not given to the people and most probably, not even the airlines and other aviators, while if they knew the extent of the disruption they could have adjusted their routings to avoid Abuja for a period;

WHEREAS there tends to be over bearing behavior on the part of the controllers in relation to aircraft and its payload, and that it is difficult for any decent society to understand why a pilot who lands in an emergency situations in the only available airport should be arrested and humiliated;

WHEREAS the most logical solution is to remove the weight of VIP flights from NAI Airport Abuja, also remove the Air Force and, with that, the danger of repeating the sort of tragedy of the middle seventies

when a trainee MIG Pilot and his trainer landed on top of a loaded F28 of Nigeria Airways making its final approach to land at the Kano International Airport, and no one in either plane survived;

WHEREAS Nigeria, taking all things into account, needs to have a special military airport for its Air Force and VIPs like the Edward Royal Air Force Base near London, Andrew Air Force Base of Washington DC

and the Le Bourget Airport in France, and what is more, Kaduna has the Air Force Base, which removes all such flights from the main airport; and

WHEREAS the new military airport should be on other side of the town from the NAI Airport in order to separate even the approaching paths of the two airports, and that this could be in the FCT or out side the FCT, because Washington DC for example has the Pentagon, the CIA Arlington National Cemetery and Dulles International Airport etc. in Virginia and has for example Andrews Air Force Base, NASA Headquarters, Camp David, National Institutes for Health, etc. in Maryland, and that it is also true that apart from Abuja, every Federal Facility, including all those in old capital Lagos, is in the respective jurisdictions of a State and a Local Government Area.

Be it resolve and its hereby resolved:

- (i) That the Minister of Aviation and the Airport Commandant should tender an unreserved apology within one week to all those who were involved in this incident. Failure to do so I pray that this Distinguished Senate should invite them for explanation;
- (ii) That all protocol activities and red-carpet ceremonies now being conducted at the Airport be conducted at either the City Gate or in the Villa so that the Airport would only be used for landing and departure;
- (iii) That Helicopters be used to ferry dignitaries direct to the Villa to reduce the tension on the road or avoid closing some roads to traffic thus causing undue hardship on the populace;
- (iv) That from this year, a proposal be made in the budget for the construction of a military airbase to be located in the South Eastern part of Abuja (Along Keffi Road) in order to de-congest the civilian Airport;
- (v) That under no circumstance should any Airport be closed for more than one hour without prior notice to incoming flight and the general public;
- (vi) That where closures need to last beyond one hour, the Airport must be reopened to clear the backlog of take offs and especially landings;
- (vii) That the Ministry of Foreign Affairs should advise their guests to appropriately schedule their flights to and from Nigeria;
- (viii) That the Nigerian Air Force, with all of its facilities and operations be moved away from the Nnamdi Azikwe International Airport in order to avert the dangers of Civilian/Military air collision, like the one of the middle seventies at the Kano Airport which resulted in the loss of both aircrafts and, more importantly, of many innocent and promising lives;
- (ix) That the Senate congratulate the President of the Federal Republic of Nigeria on his foreign policy thrust and profile, and, especially, on the last Africa Union Summit held here and to reassure His Excellency that this Senate motion on Airport closures is not intended to discourage his foreign policy initiative and activities but to safeguard the lives and dignity of Nigerians in their own homeland (*Senator Jibril M. Aminu*).

Debate:

Motion made and Question Proposed: That the motion be referred to the Committee on Aviation to investigate and report back to the Senate (*Senate Majority Leader*).

Question put and agreed to.

5. Confirmation of Appointments:

Motion made and Question Proposed: That the Senate do consider the request by Mr. President, Commander-in-Chief for the Confirmation of the Appointments of the Chairman and Members of the Revenue Mobilization, Allocation and Fiscal Commission in accordance with Section 154(1) of the 1999 Constitution.

S/No.	Name	State	Designation
1.	Hamman Adama Tukur	Adamawa	Chairman
2.	Amb. Elias Nathan	Adamawa	Member
3.	Chief Efanga Okon Inyang	Akwa Ibom	Member
4.	Sam Nebe Agumadu	Anambra	Member
5.	Mr. Richard Asema	Benue	Member
6.	Maj-Gen. Orho Esio Obada (rtd)	Delta	Member
7.	Chief (Dr.) P.A. Nwankwo	Ebonyi	Member
8.	Mr. Tom Uloko	Edo	Member
9.	Prince Adebisi Aladejana	Ekiti	Member
10.	Mr. Emmanuel Okonkwo Nnamani	Enugu	Member
11.	Arc. Aliyu Daniel Bakha Kwali	FCT	Member
12.	Alhaji Saidu Mohammed	Gombe	Member
13.	Senator Mohammed Alkali	Jigawa	Member
14.	Alhaji Yakubu Shehu	Kaduna	Member
15.	Amb. Kabiru Rabi'u	Kano	Member
16.	Alhaji Abu Gidado	Katsina	Member
17.	Hon. Ignatius A. Amodu	Kogi	Member
18.	Senator Ahmed Baba Zuruq	Kwara	Member
19.	Prof. Onje Gye-Wado	Nasarawa	Member
20.	Alh. Muhammadu Egba Enagi	Niger	Member
21.	Mr. Aremu Adeyemi	Ogun	Member
22.	Chief Oladipo Ojo Abitogun	Ondo	Member
23.	Otunba Oladeji Ariyibi, (JP)	Osun	Member
24.	Senator Ayantayo Ayandele	Oyo	Member
25.	Chief John Mankilik	Plateau	Member
26.	Barrister A. S. Oyaghiri	Rivers	Member
27.	Hon. Bello G. Kware	Sokoto	Member
28.	Alhaji Isa Geidan	Yobe	Member
29.	Amb. Muhammadu Jabbi Maradun	Zamfara	Member

(Senate Majority Leader).

Question put and agreed to.

Request accordingly referred to the Committee on National Planning, Economic Affairs and Poverty Alleviation to the report within two weeks.

6. Report of the Committee on Power and Steel:

Conference Report on Power Sector Reforms Bill (SB. 46):

Motion made and Question Proposed: That the Senate do receive and consider the Report of the Conference Committee on Power and Steel on the Power Sector Reforms Bill 2005 (SB. 46) and approve the recommendations (Senator Francis A. Nzeribe).

Question put and agreed to.

Report presented and Laid.

Motion made and Question Proposed: That the Senate do adopt the Report of the Conference Committee on the Power Sector Reforms Bill 2005 (*Senate Majority Leader*).

Question put and agreed to.

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7. *Motion made and Question Proposed:* That consideration of Items 2 (Consideration of Reports) and 1, 2 and 3 (Consideration of Bills) on the Order Paper be deferred till the next legislative day (*Senate Majority Leader*).

Question put and agreed to.

8. Closed Session:

Motion made and Question Proposed: That the Senate do resolve into a Closed Session to deliberate on an Important National Issue (*Senate Majority Leader*).

Question put and agreed to.

Closed Session — **12. 55 p.m.**

Open Session — **2. 30 p.m.**

9. Adjournment:

And it being 2. 30 p.m. the President adjourned the Senate till Wednesday, 9th February, 2005 at 10.00 a.m.

Adjourned accordingly at 2.30 p.m.

Adolf Wabara
President of the Senate