



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 11 December, 2007

1. The Senate met at 10.15 a.m. The Senate President read prayers.
2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings (No.2) of Thursday, 22nd November, 2007 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. **Messages from Mr. President:**
The Senate President informed the Senate that he had received four letters from the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, which he read as follows:
(A)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

November 28, 2007

*Distinguished Senator David Mark,
President of the Senate,
Senate Chambers,
Three Arms Zone,
National Assembly Complex,
Abuja.*

Ex and Dear Brother,

REQUEST FOR CONFIRMATION OF APPOINTMENT OF
HON. JUSTICE ABDULLAHI MUSTAPHA AS
CHIEF JUDGE, FEDERAL HIGH COURT

Section 249 of the 1999 Constitution of Federal Republic of Nigeria provides that the Federal High Court shall consist of a Chief Judge of the Federal High Court, and such number of Judges of the Federal High Court as may be prescribed by Act of the National Assembly. In this connection, Hon. Justice R. N. Ukeje, OFR, the Chief Judge of Federal High Court has given notice of retirement from service with effect from 5th January 2008.

Section 250 subsection (1) of the 1999 Constitution of the Federal Republic of Nigeria states that the appointment of the Chief Judge of the Federal High Court shall be made by the President on the recommendation of the National Judicial Council subject to confirmation by the Senate.

In line with the constitutional requirement, the National Judicial Council has recommended Honourable Justice Abdullahi Mustapha the most senior Judge at the Federal High Court for appointment as the Chief Judge, Federal High Court. In this connection, I attach herewith, a copy of letter Ref. No. CJN/PFRN/A.1/III/532 of 16th November 2007 from the Chief Justice of Nigeria and Chairman, National Judicial Council.

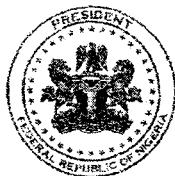
I have accepted the recommendation of the National Judicial Council and in accordance with Section 250(1) of the 1999 Constitution of the Federal Republic of Nigeria which states that the appointment shall be subject to confirmation by the Senate, I hereby present the nomination of Hon. Justice Abdullahi Mustapha for confirmation by the Senate.

I look forward to your usual kind expeditious action.

Kind regards.

Signed:

UMARU MUSA YAR'ADUA



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

(B)

PRES/134

November 29, 2007

Distinguished Senator David Mark,
President of the Senate,
Senate Chambers,
Three Arms Zone,
National Assembly Complex,
Abuja.

Ex and Dear Brother,

**REQUEST FOR CONFIRMATION OF APPOINTMENT OF THE
AUDITOR-GENERAL FOR THE FEDERATION**

Section 86(1) of the 1999 Constitution of Federal Republic of Nigeria states that the Auditor-General for the Federation shall be appointed by the President on the recommendation of the Federal Civil Service Commission, subject to confirmation by the Senate.

In line with this constitutional requirement, I consulted with the Federal Civil Service Commission, which has recommended Mr. O. R. Ejenavi for appointment as the Auditor-General for the Federation. The Curriculum Vitae of Mr. O. R. Ejenavi is herewith attached.

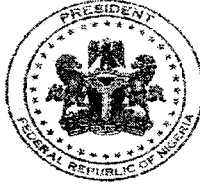
I have accepted this recommendation and in accordance with the provision of Section 86(1) of the 1999 Constitution which states that the appointment shall be subject to confirmation by the Senate, I hereby present the nomination of Mr. O. R. Ejenavi for confirmation by the Senate.

I look forward to your kind expeditious action especially in view of the consideration that the Office of the Auditor-General for the Federation will fall vacant on 8th December, 2007.

Kind regards.

Signed:

UMARU MUSA YAR'ADUA



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

(C)

PRES/134

December 6, 2007

Senator David Mark,
President of the Senate,
Senate Chambers,
National Assembly Complex,
Abuja.

Exc. and Dear Brother,

**REQUEST FOR CONFIRMATION OF APPOINTMENT AS
DEPUTY GOVERNOR, CENTRAL BANK OF NIGERIA**

I hereby forward, for the kind consideration of the Senate of the Federal Republic of Nigeria, the name of Alhaji Suleiman Barau, for appointment as a Deputy Governor of Central Bank of Nigeria.

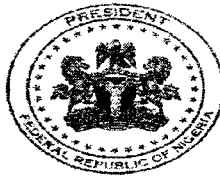
His Curriculum Vitae is attached hereto.

While awaiting your usual expeditious action on this matter, please accept, Mr. President of the Senate, the assurances of my high regards.

Best regards.

Signed:

UMARU MUSA YAR'ADUA



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

(D)

PRES/134

December 7, 2007

Distinguished Senator David Mark,
President of the Senate,
Senate Chambers,
National Assembly Complex,
Abuja.

Exc. and Dear Brother,

**RE: ICJ JUDGEMENT: THE GREEN TREE AGREEMENT
BETWEEN NIGERIA AND CAMEROON**

You may kindly note that having subscribed to the jurisdiction of the International Court of Justice, Nigeria became duty bound to respect its judgment of 10th October, 2002 which confers the sovereignty of Cameroon over the Bakassi Peninsula.

Similarly, recall that in furtherance of that, and, as a responsible member of the Committee of Nations as directed by International Law and procedure, Nigeria entered into the Green Tree Agreement with Cameroon on the modalities of implementation of that judgment. A copy of the Agreement and all relevant appendices were then forwarded to the National Assembly for the necessary ratification as permitted by law. However, it has been observed that the immediate past National Assembly could not actualize that.

Consequently, and in furtherance to the letter and request under reference, I am again forwarding the Agreement and the necessary attachments to you for ratification and appropriate action as demanded by the 1999 Constitution of the Federal Republic of Nigeria.

Please accept the assurances of my highest esteem and consideration.

Best regards,

Signed:

UMARU MUSA YAR'ADUA

Copy to:

- Secretary to the Government of the Federation
- Hon. Minister of Foreign Affairs
- Hon. Minister of Justice & Attorney-General of the Federation
- H.E. The Governor of Cross River State.

4. Announcements:

- (i) The Senate President read a letter from the Ojukwu family as follows:

OJUKWU FAMILY

ELU AKANU ITEM, BENDE LGA.
ABIA STATE,
C/O NO.102 ST. MICHAEL'S ROAD,
ABA.
08034525783, 08037799949, 08037761777

OUR REF: OIBS/4107

YOUR REF:

DATE: 8th October, 2007

Distinguished Senator David Mark,
Senate President,
National Assembly,
Abuja

Dear Sir,

NOTIFICATION OF THE DEATH OF SENATOR SIMEON MBA OJUKWU OF ELU AKANU ITEM

It is with deep sense of loss that we inform you about the passing of our adorable patriarch Senator S. M. Ojukwu on Thursday, 19th July 2007. He was aged 86 years.

Our beloved late father had a stint as a treasurer in Bende Local Government in 1950. He was elected as Conuncilor in Item Ward C in 1956. He equally represented Bende Federal Constituency under the platform of NCNC between 1964 and 1966.

He was appointed the sole Administrator of Umuahia province in 1966 by Col. Chukwuemeka Odumegwu Ojukwu during the Nigeria/Biafra internecine war. However, his last political outing saw him in the Senate where he represented Umuahia Senatorial zone between 1979 and 1983.

It is pertinent to note that our amiable Daddy was the Chairman Health Committee in the Senate and committee member, Federal Capital Development Authority. He contributed to the creation of Abia State as he was the second authorized signatory for the request for the creation of Abia State.

Meanwhile, the interment of the mortal remains of our late father who was unarguably the first legal practitioner in Item would come up in due course and you would be duly informed.

Thanks,

Signed.

Augustine O. Ojukwu
Chartered Accountant

Agu Ojukwu
Chief Economic Adviser to
Governor Abia State

Hon. Ndukwe Ojukwu
Former Deputy Leader
Bende LGA

Debate:

Motion made and Question Proposed: That the Senate do observe one minute silence in honour of the Late Senator Simeon Mba Ojukwu (*Senate Majority Leader*).

Question put and agreed to.

One minute silence accordingly observed.

(ii) Invitation to a Welcome Dinner:

The Senate President announced that the Deputy Senate Leader, Victor Ndoma-Egba (SAN) on behalf of the Deputy Senate President, Senator Ike Ekweremadu, was inviting Distinguished Senators to a Welcome Dinner in honour of Delegates from various Parliaments in Africa and the Arab World who were already in Abuja for the meeting of Committee on Peace and Conflict Resolution of Association of Senate, Shooru and Equivalent Councils in Africa and Arab World (ASSECAA). The Dinner was scheduled to take place as follows:

Date: Tuesday, 11th December 2007

Venue: Ladi Kwali Hall, Sheraton Hotels & Towers, Abuja

Time: 8.00 p.m.

Senators were requested to endeavour to attend the Opening Ceremonies on Wednesday, 12th December 2007 at Sheraton Hotels & Towers, Abuja at 10.00 a.m.

5. Matter of Urgent Public Importance:

The Passing Away of Chief Sunday Bolorunduro Awoniyi:

Motion made and Question Proposed: That the Senate notes that at about 11.p.m of November 28th, 2007, Chief Sunday Bolorunduro Awoniyi, aged 75, passed away in a London Hospital as a result of injuries sustained in auto crash.

Notes that the late Chief Sunday Bolorunduro Awoniyi, *the Aro of Mopa* and Chairman of the Arewa Consultative Forum (ACF) was a Leader in Kogi West, a Senatorial District (I'm privileged to represent as a Distinguished Senator).

Notes that Chief Sunday Bolorunduro Awoniyi was born in Mopa in the present Mopamuro Local Government Area of Kogi State on April 30th, 1932 into a humble family with a modest background. He started his education in his native Mopa home from where he proceeded to the famous Barewa College, Zaria. He equally studied in some of the best institutions of higher learning in the world. This perhaps explained how pious and meticulous he was as a civil servant.

Notes he distinguished himself as a civil servant, where he rose to the position of a Permanent Secretary, in the old Kwara State and then at the Federal level, from where he retired in 1977 at the age of 45. He contributed immensely to the modernization of the Nigeria civil service.

Notes his zeal, commitment and passion for the Northern Nigeria stemmed from his close working relationship with the late Premier of the Northern Region, Sir Ahmadu Bello. He believed passionately about the North and he may not regret dying for that cause.

Notes the late Chief Awoniyi, can easily be described as one of the architects of Nigerian modern democracy, particularly for his commitment to the tenets of democracy and his principled stand on national issues. He was also an embodiment of good character. On any national issue, you could predict where he would stand.

As part of his efforts to contribute to the upliftment of his people and indeed Nigeria, he was elected a Senator, to represent Kogi West Senatorial District in 1992.

The late Aro of Mopa, Distinguished Colleagues may wish to recall, was also a founding member of the famous G.34 that metamorphosed into the Peoples Democratic Party (PDP) the largest Political Party in Black Africa, where he also served as the pioneer Chairman of the Board of Trustees.

However, the late bureaucrat, on a few occasion had to content with opposition from some of his own people over his rigid and uncompromising positions. Some of his people believed that his tribal sentiments should have surpassed his political consideration, particularly his opposition to former President Olusegun Obasanjo.

The extent of this persecution was manifested on two occasions, when the Okun cultural and political association under Okun Development Association, paid a solidarity visit to former President Obasanjo to denounce the late Awoniyi's stand against him. But like great men, such as the late Sir Ahmadu Bello, the late Awoniyi believed in One North One Nigeria. To him, the entire country was his constituency. These are the principles that have endeared this fallen hero to those of us who are following him.

Observes that the late Chief Sunday Bolorunduro Awoniyi has served the nation well and contributed immensely to the development and transformation of the nation's civil service.

Observes the late Aro of Mopaland, as a student of the late Sir Ahmadu Bello, represented the spirit of one Nigeria. He demonstrated that he was a completely detribalised Nigerian who was ready to render assistance to anyone, regardless of where such a person came from; and.

Observes the late Chief Sunday Bolorunduro Awoniyi stood for good character and he ever remained steadfast and firm when it bothered on matters of National Interest.

Accordingly resolve that the Senate do:

- (i) observes a minute silence in honour of this rare gem, Chief Sunday Bolorunduro Awoniyi;
- (ii) sends a delegation to Kogi State Government and also to the family of the late nationalist; and
- (iii) urges and deems it immensely necessary for the Federal Government to upgrade the College of Agriculture, Kabba Campus of Ahmadu Bello University, Zaria, established by the foremost nationalist, the late Sir Ahmadu Bello, the Sardauna of Sokoto in 1963, into a full fledged University and name it after the late Chief Sunday Bolorunduro Awoniyi.

Debate:

Prayer (i):

Question: That the Senate do observe a minute silence in honour of this rare gem, Chief Sunday Bolorunduro Awoniyi — *Agreed to.*

Prayer (ii):

Question: That the Senate do send a delegation to Kogi State Government and also to the family of the late nationalist — *Agreed to.*

Prayer (iii):

Question: That the Senate do urge and deems it immensely necessary for the Federal Government to upgrade the College of Agriculture, Kabba Campus of Ahmadu Bello University, Zaria, established by the foremost nationalist, the late Sir Ahmadu Bello, the Sardauna of Sokoto in 1963, into a full fledged University and name it after the late Chief Sunday Bolorunduro Awoniyi — *Negated.*

Resolved:

- (i) That the Senate do observe a minute silence in honour of this rare gem, Chief Sunday Bolorunduro

- (ii) That the Senate do send a delegation to Kogi State Government and also to the family of the late nationalist (S. Res/033/07).

6. Confirmation of Appointments:

Referral of President's Messages:

Rising on Rule 40(2) the Senate Majority Leader invited the attention of the Senate to the Four Communications from Mr. President Commander-in-Chief of the Armed Forces. He sought and obtained the leave of the Senate for the messages to be considered forthwith.

(i) ***Auditor-General for the Federation:***

Request for the confirmation referred to the Committee on Public Accounts to report within one week.

(ii) ***Deputy Governor of Central Bank of Nigeria (CBN):***

Request for the confirmation referred to the Committee on Banking, Insurance and other Financial Institutions to report within one week.

(iii) ***Chief Judge, Federal High Court:***

Request for the confirmation of Appointment of Hon. Justice Abdullahi Mustapha as Chief Judge, Federal High Court referred to Committee on Judiciary, Human Rights and Legal Matters to report within one week.

(iv) ***Re-ICJ Judgement: The Green Tree Agreement between Nigeria and Cameroon:***

Judgement referred to Committees on Foreign Affairs, Judiciary, Human Rights and Legal Matters and Committee on States and Local Governments to report within two weeks.

7. Personal Explanation:

Report of the Committee on Appropriation:

Rising on Rule 43, Senator Iyiola Omisore informed the Senate that the Committee on Appropriation could not report as directed in view of the inability of most of the Standing Committees to conclude Budget discussions with their respective Ministries, Agencies and Parastatals.

He therefore urged the Senate to grant the Committees additional time to conclude their assignments and report to the Committee on Appropriation which will intend enable the Appropriation Committee present its report to the Committee of Supply.

Debate:

Ruling from the Chair:

The Committee on Appropriation was directed to conclude collation of Reports from the Standing Committees and report back on Thursday, 13th December, 2007.

8. Adjournment:

Motion made and Question Proposed: That the Senate do suspend Plenary Sitting till Thursday, 13th December, 2007 at 12.00 noon (*Deputy Senate Majority Leader*).

Adjourned accordingly at 12.00 Noon.