



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 19 May, 2004

1. The House met at 2.10 p.m. Mr Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the **Votes and Proceedings of Tuesday, 18 May, 2004.**
By unanimous consent, the Votes and Proceedings were adopted.
3. **Message from the President:**
Mr Speaker read the following Message from the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria:



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PRES/134

May 18, 2004

The Rt Hon. Alhaji Bello Masari,
Speaker, House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Hon. Speaker,

IMPOSITION OF A STATE OF EMERGENCY IN PLATEAU STATE

Attached herewith, in accordance with Section 305 of the Nigerian Constitution 1999, a Federal Gazette of 18th May 2004 on Declaration of a State of Emergency in Plateau State for the necessary action of the House.

I feel constrained to write you this letter on recent developments in Plateau State, efforts by the Federal Government to bring about peace and harmony, and the inevitable resort to the last constitutional option open to me: the imposition of a state of emergency.

Mr Speaker, while it is true that age-old differences existed between the various ethnic communities in Plateau State mostly related to issues of cattle grazing, stealing of cattle, and at times religious differences, these problems were well managed until 2001. The violent clashes over economic matters easily took an ethnic and religious turn culminating in the disaster that now confronts us in Southern Plateau.

We have all made personal and collective sacrifices not just to enthrone peace, stability and democracy in Nigeria but also to consolidate our democratic enterprise and cultivate new values. It is therefore very painful when that new collective commitment to democracy, peace and security is compromised, contaminated or mediated in any way or form.

At this stage, it is the belief of Government, based on available security reports as well visible evidence on ground, that the situation in Plateau State, to say the least, constitutes a challenge to our democracy, negates the norms of rational human interaction, contradicts the tenets of civil society, and devalues opportunities for peace, stability, coexistence and social justice. It constitutes a grave threat to law and order and a great danger to security in Plateau State and the neighbouring States of Bauchi, Nassarawa, Taraba and Benue. It is therefore clearly a great threat to the security and unity of Nigeria. Even if active conflict and killings seemingly subside for now, it is a facade that will erupt again if fundamental actions are not taken now at it had subsided and erupted on and off since September 2001.

Mr Speaker, crisis exists in all societies. However, the depth, intensity, course and management of crisis is often in large measure a reflection of the dexterity, capability, vision, credibility and commitment of those at the helm of affairs at any particular time. As at today, there is nothing on ground and no evidence whatsoever to show that the State Governor has the interest, desire, commitment, credibility and capacity to promote reconciliation, rehabilitation, forgiveness, peace, harmony and stability. If anything, some of his utterances, his lackadaisical attitude and seeming uneven-handedness over the salient and contending issues present him as not just part of the problem, but also as an instigator and a threat, to peace. Plateau State cannot and must not experience another spate of Violence, killings and destruction of property. If allowed, the crisis will engulf the entire nation.

Considering my constitutional responsibility as President of the Federal Republic of Nigeria and having exhausted all possible avenues to have and to help the Governor of Plateau State to ensure security of life and property generally in that State, and cognizant of the proven inability and incompetence of the Governor to maintain security of life and property generally in the State and particularly in Langtang, Wase, and Yelwa-Shendam in the past few months, I have painfully come to the point that I have to resort to the last constitutional option available to ensure security of life and property of all citizens of Nigeria and non-Nigerians alike residing in any part of Plateau State.

Let me place it on record that since 2001 when I first visited Plateau State as a result of the crisis' the situation has steadily deteriorated politically largely due to the failure of governance and the gross inefficiency in managing the rich and robust diversity of the State. Tension and social differences have been exacerbated rather than building new bridges of harmony, tolerance, inclusion, and accommodation. Political errors have been magnified and politicized by opportunistic politicians that often put personal interest above those of the people and the State. Violence has reached unprecedented levels and hundreds have been killed with much more wounded or displaced from their homes on account of their ethnic or religious identification. Schooling for children has been disrupted and interrupted; businesses have and lost billions of naira and property worth much more destroyed. Christians and Muslims that used to live together have become arch-enemies and the embers of hate have reached totally unacceptable levels.

Visitors and, investor have fled or are fleeing Plateau State and the neighbouring States have had their economies and social life disrupted and dislocated by the influx of internally misplaced person. Among leaders and ordinary people, the language of hate, distrust, violence, intolerance has become the norm. Due to poor leadership, ineffective responses to tension and conflicts, and unguarded statements by political leaders in the state, nobody seems to be able to be neutral or impartial as you must either be tainted or drawn to one side or the other. Much more pitiful is the palpable loss of confidence in the political leadership of the State.

The consequence of insensitivity' to existing realities and failure to put in place the necessary checks is what we are witnessing today in Plateau State and its neighbouring States. The killings, looting, and wanton destruction of property in Kano are the direct result of the mismanaged affairs in Plateau State. Nothing, of course should be done or said to justify actions in Kano that must be condemned as the handiwork of manipulated irresponsible hoodlums. Following this State of Emergency in Plateau, therefore, in line with my earlier advise to all Governors in their capacity as Chief Security Officers of their States, they are to be directly held responsible for breaches of security in their respective States. No excuse will be tenable for such breaches.

Mr Speaker, you will agree with me that both Christianity and Islam hold life as sacred. Anyone who kills or instigates the killing of another human being except on established judicial judgment is a murderer and must be treated as such. The Federal Government and the neighbouring States to Plateau State are incurring huge expenses in managing the socio-political and economic consequences of their near collapse of State authority and the breakdown of law and order in some parts of Plateau State and elsewhere. Opportunities for building networks and webs of dialogue across primordial lines have been recklessly

squandered by a weak and incompetent political leadership which has a*wed discontent to fester into deep hatred manifesting in bitterness, rage and destruction. We, as leaders at various levels have both a constitutional, moral as well as political duty to intervene to put a decisive stop to such dangerous situations wherever they may occur. What has become clear is that the constituted authority in Plateau State is incapable of maintaining law and order, giving confidence to the people, managing religious, ethnic and social pluralism, and protecting lives and property of all citizens or determinedly unwilling to do so.

Let me give you some insights into direct efforts made by the Federal Government to help the Governor of Plateau State in reaching some accommodation with the constituencies' and communities that make up his state in the interest of social justice, peace, and harmony. I had several meetings with political, religious and traditional rulers and leaders of thought from Plateau. I had several private consultations with political leaders and the Governor of Plateau State. The Federal Government even set up at least three all-embracing peace committees charged with finding and using all possible ways and means to restore peace, law and order to Plateau State. The committees have been frustrated by vested interests in Plateau State that were clearly not on the side of peaceful coexistence, inclusion, tolerance, and harmony. In my personal and official capacities, I have done everything to bring lasting peace to Plateau State. If nothing else, the political leadership in the State has failed woefully to guarantee peace and security and in many instances, it has wittingly and unwittingly encouraged acts that have subverted peace and tranquillity.

At every point, the Governor of Plateau State either made himself unavailable on the ground to take appropriate action to stem the tide of violence or when he was available he was simply incompetent to take action. His personal conduct and unguarded utterances have inflamed passions. The latest evidence of gross dereliction of duty, incompetence and insensitivity to the situation on ground in Plateau—as well as disregard and disrespect for constituted authority was, when contrary to my instruction that Governors should inform me before they travel out of the country so that I can deal with their deputies when they are away as well as know where to find them at quick notice in cases of emergency, the Governor of Plateau traveled out without notifying me. When crises broke out in his State, the Governor made no effort to return home immediately—he was away for more than two weeks.

And when he did return to the country, his first priority was to attend the Sports Festival in Abuja at a time when his State was burning. It was not until Tuesday the 11th of May that, at my prompting, he informed me that he was calling a Security Committee meeting of the State. At the same time, I suggested to him to visit the areas of conflict and the displaced persons' camps that had flowed out of the State to the adjoining states; he was still making excuses as to why he could not do so.

Mr Speaker, I am sure that you can fully appreciate the grave situation I have described thus far. You can also see evidence of gross rascality, indiscipline, irresponsibility, insensitivity and incompetence. In order to confirm and see things for myself, I undertook a tour of the affected areas on Thursday the 13th of May, 2004. The tour took my entourage and I, including the Governor of Plateau State to the major centres of violence—Langtang, Yelwa-Shendam, and Wase to see things for myself. I also took the opportunity to visit displaced persons in Bauchi State. Even in my company, the Governor's car was stoned and he did not escape abuse and insults from his own people.

From what I saw and heard, we need to take very serious action to stem the tide of what has now become a near mutual genocide in the affected areas of Plateau State and the stream of displaced persons to the adjoining States. Until I visited the areas of disturbances with the Governor, he had neither visited the locations nor had he visited the displaced persons who had moved to Bauchi State since 2001, let alone make arrangements for their return and resettlement back in Plateau State.

Since my return, I have briefed the leaders of the National Assembly. One leader each from the Senate and House of Representatives accompanied me on my tour of Plateau and Bauchi States. They saw the dire situation with their own eyes, they - heard the cries of the people, they experienced the pains of displaced women and children, and they saw the Governor stoned and humiliated by people that felt betrayed by their own leader. The National Security Council met and after necessary consultations at the government and party levels, it has become imperative that the bloodshed in Plateau State which has also reverberated in Kano and is threatening Kaduna, Bauchi, Taraba, Gombe, Benue and Nassarawa, even the Federal Capital Territory, should and must be stopped. The spill over from Kano is already threatening Owerri and Umuahia. The general conclusion is that unless drastic, immediate and clear actions were taken, the violence would erupt again with dire consequences.

Mr Speaker, the Nigerian Constitution 1999 foresees the ultimate of emergency in part or all of Nigeria and provides for it as the last resort. Therefore, by virtue of Section 305 of the Constitution of the Federal Republic of Nigeria (1999), I hereby declare a State of Emergency in Plateau State with effect from today the 18th day of May, 2004. This declaration has been published in a Federal Gazette of today.

The Governor and his deputy, by this declaration, cease to be in-charge of the affairs of Plateau State for six months in the first instance. An Administrator to manage the affairs of Plateau State in the person of retired General Chris Ali is hereby nominated.

The Plateau State House of Assembly also ceases to exist as the formal legislative body of the state with immediate effect. Having a State Assembly in position under a state of emergency is incongruous and may not allow for the expeditious actions that the Administrator will need, to put the State back into a situation of peace, harmony, security for all and maintenance of law and order throughout the State.

It is the hope of the Federal Government that the Administrator will not need new laws for the administration of the State. But if he does, it will be in the form of a regulation which he will submit to the President for consideration by the Federal Executive Council and promulgated by the President for the State.

Mr Speaker, you will agree with me that violence brings no good to any people. It retards development, scares away investors, stultifies creativity, and contaminates social relations. At this period when we are all joining hands to carry out far-reaching fundamental reforms to ensure growth, stability, development and democracy, we cannot afford or tolerate acts of violence and destruction, precipitated by poor and incompetent leadership and insensitivity to the conditions of all the people.

The decision to impose a State of Emergency in Plateau State was based on the collective desire to strengthen our democratic practice, institutions, and values. This decision would without doubt enhance security as well as protect the stability and corporate existence of our nation for which many have died.

It is my hope and prayer that this six-month period will be used by the Administrator and all peace-loving people in and outside the State to bring peace and join hands to promote democratic values and enshrine the values of transparency, accountability, social justice, love, good neighbourliness and good governance.

I thank you for your understanding and appreciation of the reasons why the State of Emergency had to be imposed in Plateau State. I am certain that we shall all come of this stronger, more united and more committed to democracy and good governance.

Yours sincerely,

(Signed)

OLUSEGUN OBASANJO

4. Declaration of a State of Emergency in Plateau State:

Motion made and Question proposed, that this House do:

- (i) receive; and
- (ii) consider in the Committee of Whole, the Instrument on the Proclamation of a State of Emergency in Plateau State pursuant to Section 305 (1), (2) and (3) of the Constitution of the Federal Republic of Nigeria, 1999 and Order XVII (Proceedings on Proclamation of a State of Emergency) of the Standing Orders (*Hon. Abdul Ningi*).

Question put and agreed to.

(COMMITTEE OF WHOLE)

(Mr Speaker in the Chair)

S.I. No. 4 of 2004

**CONSTITUTION OF THE FEDERAL REPUBLIC
OF NIGERIA 1999**

STATE OF EMERGENCY (PLATEAU STATE) PROCLAMATION 2004

Commencement: 18th May, 2004

WHEREAS the Plateau State of Nigeria has been experiencing incessant crisis since March 2001 as a result of age-old animosity and prejudices among the people of the State along ethnic and religious lines with serious adverse implications for the state of public order and security;

WHEREAS the Government of Plateau State has been incapable of managing the situation justly and equitably leading to the total collapse of public order and public safety in the State;

WHEREAS there is actual breakdown of public order and public safety in the Plateau State of Nigeria leading to massive loss of lives and property and creating serious humanitarian calamity within and outside the State;

WHEREAS there is clear and present danger of the crisis in in Plateau State spreading beyond the boundaries of the State to other States of the Federation;

WHEREAS extraordinary measures are required to restore peace and security in Plateau State;

NOW THEREFORE, in exercise of the powers conferred upon me by Section 305 (1), (3) (c) and (d) of the Constitution of the Federal Republic of Nigeria, 1999 and of all other powers enabling me in that behalf, I, OLUSEGUN OBASANJO, President of the Federal Republic of Nigeria hereby make the following Proclamation:

1. Proclamation of a State of Emergency in Plateau State.

As from the commencement of this Proclamation, a State of Emergency is hereby declared in the Plateau State of Nigeria (in this Proclamation referred to as "the State").

2. Suspension of the Office of the Governor and the State House of Assembly.

As from the commencement of this Proclamation, the Office of Executive Governor of the State and the State House of Assembly are hereby suspended

3. The State to be Administered by an Administrator.

The State shall for the duration of the emergency be administered by an Administrator who shall be appointed by me and operate on the basis of such Regulations that may, from time to time, be issued by me.

4. Citation.

This Proclamation may be cited as the State of Emergency (Plateau State) Proclamation 2004.

Debate:

Question put:

The House Divided.

Count Taken:

Ayes — 261

Noes — 30.

Question put and agreed to.

Chairman to report Progress.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in the Committee of Whole, approved the provisions of the Instrument for the Proclamation of a State of Emergency in Plateau State by 261 to 30 votes. The House however, resolved that in respect of new laws to govern Plateau State during the emergency period, all such laws must be enacted by the National Assembly, pursuant to Section 11, Subsection (4) of the Constitution of the Federal Republic of Nigeria, 1999.

Question, that the House do adopt the Report of the Committee of Whole, put and agreed to.

5. Adjournment:

That this House do now adjourn till Thursday, 20 May, 2004 at 10.00 a.m. (*Hon. Abdul Ningi*).

Adjourned accordingly at 4.00 p.m.

Aminu Bello Masari
Speaker