

**VOL. 2
No. 5**

FEDERAL REPUBLIC OF NIGERIA

**Thursday
8th October, 2009**



NATIONAL ASSEMBLY DEBATES

FOURTH REPUBLIC THIRD ASSEMBLY (SIXTH SENATE)

THIRD SESSION

SENATE OFFICIAL REPORT

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**SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA**

Thursday, 8th October, 2009

The Senate met at 10.20 a.m.

PRAYERS

(The Deputy President in the Chair)

VOTES AND PROCEEDINGS

The Deputy President: Distinguished Senators, the Senate is called to order. Let us consider the Votes and Proceedings of Wednesday, 7th October, 2009: Pages 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214?

Senator Ganiyu O. Solomon (Lagos West): Mr. President, permit me to draw us back to page 196. There is a mistake which I think is very major on paragraph 5. The last sentence there says: *Sought for an extension of two weeks to enable the Committee concludes the assignment and report as mandated.* We actually said since one of the nominees is indisposed we will wait till she presents herself for screening and until that, we cannot make any presentation. That was the true reflection of what happened.

The Deputy President: Secretariat, please, take note. Pages, 215 and 216?

Senator Satty Davis Gogwim (Plateau Central): Mr. President, I rise to move the Motion that the Votes and Proceedings of Wednesday, 7th October, 2009 be approved as amended.

Senator Gyang Dalyop Dantong (Plateau North): Mr. President, I rise to second the Motion as moved by Senator Satty Davis Gogwim

Question put and agreed to.

Resolved: That the Votes and Proceedings Wednesday, 7th October, 2009 be approved as amended.

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ANNOUNCEMENTS

Death of Mama Egibi Omabu Ngaji

The President of the Senate,
Three-Arms Zone
Abuja.

Your Excellency,

Re-Death of Mama Egibi Omabu Ngaji

I rise to inform you of the death of my beloved mother, Mama Egibi Omabu Ngaji who departed this world on 28th September, 2009. The burial is scheduled to take place on Thursday, 15th October, 2009 according to Catholic rights in Ogba Okpoma, Yala Local Government Area of Cross River State.

As usual, accept the assurances of my highest regards.

(Signed)

Senator (Dr.) Greg Ngaji

**Nigeria Summit on the Liquefied Petroleum
Gas (LNG)**

Distinguished Senators are kindly invited to attend the Nigerian Summit on the Liquefied Petroleum Gas (LPG) being organised by the Senate Committee on Gas on Monday, 12th and Tuesday, 13th October, 2009 at 9.00 a.m. daily at the International Conference Centre, Abuja.

President Umar Musa Yar'Adua (GCFR) is the Special Guest of Honour while the President of the Senate, Senator David Mark (GCON) is the Chief Host.

You are kindly requested to attend as your esteemed presence will be highly appreciated.

(Signed)

Senator Osita B. Izunaso

Chairman

Senate Committee on Gas

**A-three Day Retreat in Kaduna by the
Senate Committee on Constitutional Review**

For a reminder, the Senate Committee on Constitution Review will be holding a Three Day Retreat in Kaduna. Those involved and those concerned or interested are expected in Kaduna this evening.

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MATTER OF URGENT PUBLIC IMPORTANCE

Senator Bala Abdulkadir Mohammed (Bauchi South): Mr. President, I have a Point of Order, it is Order 42 dealing with Matter of Urgent Public Importance.

Order 42(1) says: *The matter for discussion shall if possible, be referred to the President of the Senate before commencement of the day's sitting and the President of the Senate shall refuse to allow the claim unless he is satisfied that the matter is definite and urgent.*

(2) *If the claim is allowed by the President of the Senate and the Leave of the Senate is given by at least one-fifth of all the Senators, the matter shall stand over till the next legislative day.*

(3) *Not more than one such Motion may be made at the same sitting.*

The Deputy President: What is it about?

Senator Bala A. Mohammed: Mr. President, the matter is very urgent, I wish to report to the Senate, the demise of His Royal Highest, the First-Class Emir who died last week and he was one of those outstanding Emirs in the Northern part of the country who contributed positively to the growth and development of this country and if you give me the permission, I would go back to Order 53.

The Deputy President: It is all right. Is it the wish of this Senate that we take this matter at the next legislative day?

Several distinguished Senators: Yes.

The Deputy President: The matter stands over to another legislative day.

PRESENTATION OF A REPORT

Report of the Ad-Hoc Committee on the Investigation of the Transportation Sector

Senator Kolawole Folarin (Oyo Central): Mr. President, the first business of the day is the presentation of the Report of the Ad-Hoc Committee on the Investigation of the Transportation Sector. You may now invite the Chairman of that Ad-Hoc Committee

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Senator Heineken Lokpobiri to move the Motion for the Senate to receive the Report.

Senator Heineken Lokpobiri (Bayelsa West): Mr. President, I rise this morning to move that the Senate do receive the Road Sector Report of the Ad-Hoc Committee on the Investigation of the Transportation Sector.

Senator Anyim Ude (Ebonyi South): Mr. President, I second the Motion that the Senate do receive the Report of the Ad-Hoc Committee on the Investigation of the Transportation Sector in the country.

Question put and agreed to.

(Report accordingly laid on the Table)

ORDERS OF THE DAY

MOTION

The Impending Disaster Posed by the Lake Nyos located in the Cameroons

Senator Teslim Folarin: Mr. President, the first Order of the day is a Motion standing in the name of Senator Joseph Akaagerger and 19 others on the impending disaster posed by the Lake Nyos located in the Cameroons. Before going further I wish to substitute your name as a co-sponsor with that of Senator Ikechukwu Obiora. So, for the records, the name of the Deputy Senate President who is presiding today is substituted with Senator Ikechukwu Obiora.

You will recall that on Wednesday, 7th October, 2009 the Senate vide its Order 42(2) of our Standing Orders approved that this Motion be moved till the next legislative day which is today. You may now invite the sponsor of the Motion, Senator Akaagerger to move his Motion.

Senator Joseph Akaagerger (Benue North-East): Mr. President, I stand here this day to move the Motion on the Impending Disaster Posed by the Lake Nyos Located in the Cameroons. I wish to first of all acknowledge fully the great work done by Senator Bassey Ewa-Henshaw, my senior brother with whom I co-sponsored this Motion together with Senator Nazif and others. The people of Benue North-East Senatorial District are, indeed, very grateful to you and this Senate.

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Co-sponsoring this Motion also are:

1. Senator Abubakar D. Sodangi.
2. Senator Victor Ndoma-Egba
3. Senator Jibril Aminu
4. Senator John Yahaya Ugbane
5. Senator Patricia Akwashiki
6. Senator Joel D. Ikenya
7. Senator Muhammed Mana
8. Senator George O. Akume
9. Senator Grace F. Bent
10. Senator Smart Adeyemi
11. Senator George A. Manzo
12. Senator Ayogu Eze
13. Senator Suleiman Adokwe
14. Senator John N. Shagaya
15. Senator Satty D. Gogwim
16. Senator Gyang D. Dantong
17. Senator Dahiru B. Gassol
18. Senator Anthony Agbo
19. Senator Dahiru Kuta
20. Senator Caleb Zagi
21. Senator Suleiman
22. Senator Eme Ufot Ekaette

The Senate:

Recalls that in 2005 the United Nations Environmental Programme (UNEP) and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) warned against the imminent collapse of the Lake Nyos Natural Dam with devastating consequences to both Nigeria and the Republic of Cameroon within 5-10 years.

Aware that the Lake is located about 50 kilometres (31 miles) on a higher gradient from the Nigerian North-East border and is drained by streams running into RIVER KATSINA-ALA which in turn drains into RIVER BENUE poses grave health and ecological dangers should this Lake erupts at any moment from now. To enable the Senate's understanding, I have attached some maps showing the location of Lake Nyos

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and its possible effect on Nigeria in the case of occurrence of an eruption.

Further recalls that scientific warnings of the imminent collapse of Lake Nyos dates back to 1988 when scientists disclosed that the Northern Section of the dam is fast eroding and there is a successive build-up of carbon dioxide being emitted from the magma chamber beneath the lake water thereby converting the water into carbonic acid and no much attention is being paid to this.

Aware that on the 21st of August, 1986, the lake experienced a volcanic eruption resulting in over 1,700 deaths and several injuries from asphyxiation consequent upon the massive release of carbon dioxide. Also about 3,500 live stocks died. I have also attached some photographs to show the casualties at that time. Deaths of animals and men and you could also see on those attached photographs the effect on the bodies of people who experienced the gas emitted from Lake Nyos.

Notes also that the lake's natural dam's crater, filling a roughly circular mar, dates back to about 400 years when the lava flow interacted violently with ground water consists of poorly consolidated pyroclastic deposits. The lake measures about two kilometres in length, with a width of 1.2 kilometres; surface area of 1.58 square kilometres; a depth of 208 metres and an elevation of 1,091 meters and contains 55 million cubic litres of water; the surface water acting as a lid preventing the carbon dioxide from coming to the surface.

Further notes that Lake Nyos is one of the only three known lakes to be saturated with carbon dioxide. The others being Lake Mounon in Cameroon located on that same volcanic field and also Lake Kivu in the Republic of Rwanda.

Aware that in the event the dam fails or collapses or is ignited by any minor earthquake in the Oku volcanic field or any erosion from another source, it will result in the release of over 55 million cubic litres of water leading to flooding which will affect millions of Nigerians and animals, submerging some areas in States such as Taraba, Benue, Cross River, Kogi, Enugu and others. In effect some parts of Makurdi, as has been shown, will be submerged forever with the injurious gas covering the entire area up to Adamawa State.

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The danger here is that once you inhale this gas and you are sleeping, you will not wake up again. Unfortunately, you may not be awake again to even write a Will or talk to your siblings. This is what was experienced in 1986.

Acknowledges that President Obasanjo in 2006, hosted a meeting with the host Governors/States in the risk zone and in 2007 tasked a Technical Committee to evaluate the flood disaster risk and make a vulnerability assessment in Katsina–Ala River Basin in the event of the collapse of Lake Nyos Dam but the government has failed to implement the Committee’s recommendations.

Further aware that the Federal Government later announced the sum of ₦26 billion which was budgeted to construct a Buffer Dam at the Nigerian side of the lake to cushion the effect of a possible disaster and the need to install early warnings devices, work has not started on this project.

The Senate worried that;

- (a) The Federal Government’s Technical Committee named the following States of Taraba, Adamawa, Kogi, Benue, Cross River and such other States as Nasarawa, Plateau, Enugu, *et cetera*, as equally vulnerable areas;
- (b) Although, Benue State Government in 2006 under the Administration of George Akume who sits here today as a Senator, further reinforced the alarm disclosing that at least 12 out of its 23 Local Government Areas will be affected and recommended to the Federal Government the construction of some Buffer Dams at the foot of the hills on the Nigerian side to reduce the impact of any eruption, nothing tangible has been done.

The danger here is that should this occur of the 12 Local Governments mentioned in that report, seven are the ones I represent and I do not want to leave the Senate for now.

- (c) Despite the consistent casualty reports by Federal and Benue State Governments, NEMA and United Nations Agencies that millions of people will die and stretching a period of over six months, people will continue to die on daily basis, and animals will be lost, nothing has been done to cushion this effect.

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- (d) The vulnerable States are presently sitting on “gun powder” of an impending disaster.
- (e) NEMA claims of sensitisation exercises are yet to reach Benue North-East Senatorial District in the face of this imminent danger.

Accordingly resolves to:

- (i) Urge the Federal Government to hasten the timely release of the ₦26 billion meant for the Kashimbilla Buffer Dam project which is to contain the flood waters from the Lake Nyos;
- (ii) Urge the Federal Government to initiate other immediate steps such as installation of early warning devices, commencement of drills and sensitisation exercises to respond to the impending natural disaster since ‘a stitch in time saves nine’.
- (iii) Invite the leadership of the National Emergency Management Agency (NEMA), the relevant Ministries to brief the Senate on this impending natural calamity including the sensitisation exercises

Distinguished President and my Colleagues, your decision here this morning on this impending natural disaster will save us the problem that we are experiencing in Indonesia and India at the moment.

Senator Joel Danlami Ikenya (Taraba South): Mr. President, before I second the Motion I have one or two things to say. Firstly, the Federal Government on its effort to see that not only inviting NEMA at the time of disaster, also set up a Technical Committee and in the basis of that Technical Committee decisions were taken to award contract for the execution of the said project in Kashimbilla Dam which is right in my Constituency. This Motion has a national out look because the number of States to be affected if there is going to be a disaster is many. It is not going to affect only two States.

Both Adamawa and Taraba State Governments have, since 1999 drawn the attention of the Federal Government on the dangers and the calamity that may befall the States if action is not taken. So, it is not only Benue State Government that has been making effort other State Governments, as I said, like Adamawa and Taraba who will be more affected especially Taraba State that has directly boundary with the Cameroon have made some efforts, too.

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The effort of the National Assembly is very glaring. It has done its best by approving funds to this project in Kashimbilla. The only predicament is release of those funds for the job to continue. As I speak to you today, the Contractor is no more on site. As a result of the great danger posed by this Lake Nyos to many parts of this country you have so many Senators as co-sponsors of this Motion.

I urge all my Colleagues to support this very important Motion. It is better to prevent this danger than to send relief materials to the affected people when the danger occurs. My Constituents do not need relief materials. They do not need condolence messages from the Federal Government and the Senate rather, what they need is protection now. Let us work together to see that we secure the lives of our people. It is very clear in the Constitution that the target of any responsible government is to cater for the welfare of its citizens. I believe that PDP government is a responsible government and also that this Senate is a responsible arm of government, therefore, I urge all Senators to support this Motion and approve all the Prayers thereto so that at the end of the day, the lives and the properties of Nigerians can be saved.

I rise to second the Motion as ably moved by my Colleague from Benue State with whom I share the same fate.

Senator Satty Davis Gogwim (Plateau Central): Mr. President, I rise to support this Motion ably moved by Senator Akaagerger. This Motion is very timely. The Motion talks about the last government which put in place a Technical Committee to look at the modalities to build a dam to support whatever might happen. Money was actually appropriated according to the Motion; about ₦26 billion yet nothing took place. Lake Nyos is a volcanic epic-centre where if there is a volcanic eruption, we shall regret our inability to take the necessary steps that should have been taken to avert it. We may not be able to avert it because as a member of the Water Resources Committee, the Committee was briefed by the Director of Dams some months ago about the danger posed by Lake Nyos to the lives of human beings and animal stocks living around the area. From 1986 to date nothing has been done to address this issue.

Therefore, in supporting this Motion I urge that in addition to inviting the National Emergency Management Agency (NEMA) we should also invite the Director of Dams at the Federal Ministry of Water Resources to come and give us a better briefing. This

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will help us to underscore the importance of what we want the Federal Government to do at the site of Lake Nyos in order to avert any calamity that may come within the next ten years.

Senator Bassey Ewa-Henshaw (Cross River South): Mr. President, I am one of the sponsors of this Motion. I together with my Colleague, Senator Nazif attempted to go to the site of Kashimbilla where the dam that is supposed to provide protection to Nigeria in case of the collapse of this Lake is being constructed. There are a number of issues that we need to note critically. One is the fact that has been enunciated in the Motion. The Lake has a substantial amount of Co2 dissolved in the bottom. Co2 is a heavy gas. In 1986 world attention was attracted to that Lake because of the eruption that took place and killed nearly 2,000 people in Cameroon. What the Cameroonians have done now is to sink a pipe to the bottom of the Lake so that the Co2 goes up into the air to avoid what happened in 1986.

The danger we face is that if the base of the Lake collapses, it is not just the 50 million cubic metres of water that will inundate Nigeria because the Lake is at a gradient that is higher than Nigeria and Cameroon is at the same gradient. So, in terms of flooding Cameroon is protected Nigeria is not. If that base collapses, then we will have about 50 million cubic metres of water inundating Nigeria and the experts have told us that all those States and rivers that have been mentioned in this Motion will be inundated to a minimum of, at least, fifteen feet of water covering Benue State, Taraba, parts of Plateau, Cross River, Adamawa and so on and so forth. So, it is a huge problem.

Now, because the gas is a heavy one it will not rise and dissipate. The likelihood is that the gas will flow with the water at very low altitude and will kill a lot of people through asphyxiation. So, NEMA has tried and because of the delay by government in dealing with the dam project, NEMA has tried to set up an early warning system. But NEMA itself has explained.

When we went to visit Kashimbilla which was about two or three months ago, the rains were so heavy that a bridge we were supposed to cross, twenty minutes before we got to the dam site had collapsed, so we could not pass the bridge. That is in Gwande Local Government which is part of Senator Akaagerger's Constituency. After driving for about six hours we could not get to the dam. The entire area was foggy. The soil was saturated and that is another danger. The chances are that if this Lake collapses, it is going to

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collapse in the rainy season when the soil is weak. If it collapses in the rainy season when the soil is weak, then the absorptive capacity of the soil will be minimal because it would have already been saturated with water hence all the water will flow down.

We invited the Project Manager and the Contractor to brief us because we could not get to the Dam site, they presented us with an extremely frightening picture of what will happen which will affect so many houses and people. The early warning system will be inadequate because the speed with which the water will come down will be a matter of hours before it arrives in Benue.

The Deputy President: How long will it take to get to Enugu?

Senator Ewa-Henshaw: If it gets to Benue between seven to ten hours, you can be sure that between three to five hours, it will get to Enugu and it is quite serious. Therefore, the issue of an early warning system is just a waste of time; the damage could have been done any way.

After the briefing by the Project Manager who is a staff of the Ministry of Agriculture and Water Resources, I asked them to come back and brief us in the presence of the Senate President because the Senate President is from Benue and it would also affect his Constituency. Following that briefing we have done a letter to the Senate President, the Minister of Environment who was present at the briefing, the Minister of Agriculture and Water Resources, NEMA and the Minister of Finance because part of the problem was that the estimate for building the Dam and some irrigation projects was put at ₦40 million. But we have advised that the danger to Nigeria is the flood, therefore, they should forget about irrigation, focus on the dam and make sure that the danger is averted.

The estimate for constructing the dam has been brought from ₦40 to ₦26 million. Last year, some provision was made in the Budget, which I believe was about ₦5 billion and by the end of the Budget that money was removed. Although the Contractor was on site nothing has been paid to him

The Deputy President: As the Chairman of the Committee on Water Resources, you should know who removed the ₦5 billion?

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Senator Bassey Ewa-Henshaw: My Committee made the provision in the Budget but by the time Mr. President signed the Budget that provision was no longer there. I do not know what happened to it. It is important that adequate provision be made in the 2010 Budget for the Contractor to speed up work. Although the United Nations have told us that it may take between ten and fifteen years, at least, five of those have already passed and we have done nothing. It is not the precise sand; it depends on the stability of the soil. As we are talking, God forbid, if the soil is weak enough the place can collapse tomorrow.

We need to take it seriously and make the provisions that are necessary and avert this danger. We have an opportunity to avert a serious danger to our people and we should not wait until the disaster occurs before we begin to run around to find what to do. Therefore, I appeal to my Colleagues to support this Motion and that special effort be made to ensure that adequate provision is made in the Budget so that the Contractor gets paid and accelerate the pace of work.

Senator Ayogu Eze (Enugu North): Mr. President, one of the major reasons I co-sponsored this Motion was that, apart from the dramatisation of the grim implications of this impending disaster, I was also alarmed by the fact that it is going to threaten the community existence of my young and fledging Adada State. *(Interruptions)*

Some distinguished Senators: There is no Adada State. It is not in the Constitution.

Senator Ayogu Eze: The area that would be affected that is immediately contiguous to Benue State is my Senatorial District and if it is going to affect other parts of Enugu, it would likely be my Constituency and that of Senator Chimaroke Nnamani.

The time of this Motion has truly come. The warning in 2005 spoke about between five to ten years and if that is anything to go by, we have less than one year to get our acts together. Listening to the briefing by Senator Ewa-Henshaw it means that, indeed, this country is sitting on a keg of gun-powder and we are talking about millions of lives. We do not know who it would be. It could be any of us God forbid. We have to take every necessary step to forestall this disaster from happening. It is a disaster that has given us some form of notification and if we are notified then we should be fortified.

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I support this Motion wholeheartedly because I am a co-sponsor and I also understand the grim implications. Inviting only NEMA is not enough. We are going to use the opportunity of the 2010 Appropriation to prescribe some solutions ourselves. We want to ensure that we put in 2010 Budget money that will ensure that this disaster is prevented from happening, because generations to come will not forgive us in the sense that to be fore-warned is to be fore-armed. We are already fore-warned, if we do not do anything we have ourselves to blame.

I urge my Colleagues to wholeheartedly support this Motion and for us to move to the next legislative action of ensuring that we put in place infrastructure to combat this danger. With these few points, I support the Motion.

Senator Eme Ufot-Ekaette (Akwa-Ibom South): Mr. President, I insisted this morning on being part of this debate because part of my Constituency of Akwa-Ibom South shares the same border with Senator Ewa-Henshaw's Constituency and these are migrant fishermen and it is a very large community. If you stand there you will have a clear picture of what they are trying to describe. So, if there is any disaster Akwa-Ibom State would be affected, especially people in Ibaka area of Akwa Ibom State.

In 1986 when the eruption happened a lot of people were affected both in health and displacement and we had a lot of refugees; people who moved back to the mainland to settle. It is not always good for us to re-act when we have an occasion, we should be able to prevent the danger. We are in this Chamber to do just that.

I support the suggestion that in the 2010 Budget we should provide for the construction of the dam that would help in case there is any disaster. This is because many States of the Federation would be affected, including Akwa-Ibom State.

So, I support this Motion and I pray that at the end of the day Government will take this discussion that we are doing today because they must take it very seriously otherwise, if we have the disaster a lot of people would be affected.

Senator Ibrahim Mohammed Ida (Katsina Central): Mr. President, although Katsina State is not part of the States that are mentioned here nonetheless, the States quoted are part of Nigeria, they are our kith and kins, so we have as much concern as anybody else.

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I support this Motion although I am not one of the co-sponsors but I want to say that I am one definitely. I am concerned because from the text of the Motion there are two issues involved but somehow from all the contributions so far, only one appears to be the focal point.

We have the issue of the impending flood if the Dam breaks and the effect it would have in sweeping through our dear nation and causing destruction to lives and property. There is also the issue of the gas. I believe that the issue of flood is very easy or is much simpler to tackle in the sense that it is a physical thing and steps can be taken to avert it or, at least, to minimise its damage. The problem of the gas is equally serious if not more. If we recall some years ago, there was a similar incident in the same Cameroon and many people died in their sleep. Some were as far away as possible from the environment but it affected them.

We are talking about N26 billion for the Dam. What are we doing to avert or minimise the effect of the gas poison because that is a very serious matter. Evidently from the Motion itself, there does not seem to be adequate step being taken, rather we have managed to build dams here and there. The approach should be a mixed one that we would seek. Here I am talking about an in-depth study. NEMA is an Agency that only comes after they have the facts. It is not a technical Agency. It comes to help those who suffer out of a disaster. To bring NEMA here is not something that is required now.

What is required should be the Agencies that have something to do with public health, agriculture and the environment to really determine what could be done, when it should be done, how it should be done and by whom. I believe if we do that, and sincerely if, and God forbids, we have this problem of gas emission, the consequences would be more grievous because it would not be confined to the immediate environments that are quoted here but all through Nigeria. When that happened, the cost is better imagined than experienced.

I support this Motion hoping that it should be given serious attention and the Agencies to be involved should not be NEMA but rather, all Agencies that deal with public health, environment and agriculture.

Senator Otaru Salihu Ohize (Kogi Central): Mr. President, I am representing one of the States that is expected to be affected dangerously by the eruption of Lake Nyos. Ordinarily, the threat posed by Lake Nyos is imminent because the Lake is known to exist and

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Nigeria is also known to exist as an entity which means, we are continuously there and the Lake is there and the threat is always there.

Despite the few states that have been mentioned, if the flood from Lake Nyos eventually explodes half of Nigeria would be wiped away. The carbon dioxide that would be emitted from the Lake is equally enough to take away half of the lives of Nigerian population because the gaseous explosion is a matter of inhalation. So, you do not need to be in touch with it before you are affected.

If you measure the havoc caused by the little carbon dioxide emission from a small generator then it is enough to tell you what this would do to Nigeria if this is not prevented. For this reason, I am in support of the Motion. Preventive measures should be taken.

As my Colleague, Senator Ida has said, it is not the issue of NEMA because NEMA is concerned with relief materials only. We must not wait for the accident to happen and start to rush in through NEMA to carry out a kind of fire brigade rescue operation. I appeal that the Motion be given a massive support for immediate steps to be taken to prevent the likely disaster that would happen.

Senator Suleiman M. Nazif (Bauchi North): Mr. President, I rise this morning to support this very important Motion. In particular, to support the effort that has been taken over the months by Senator Ewa-Henshaw, the Chairman of the Senate Committee on Water Resources. He has been very active and concerned about this issue of Lake Nyos and Kashimbilla Dam. The issue of Kashimbilla Dam and Lake Nyos can never be over emphasised as we are aware of the eminent danger they pose and the impact, if it happens, would be very devastating.

Let me draw our attention to the irresponsibility on the part of the Ministry of Water Resources. This is a project under the Ministry of Water Resources and the Ministry is very aware of this Dam and the Lake and the impending danger that they pose to Nigeria. This project has continuously been reflected in the Budgets but due to selective implementation of the budgets, they do not seem to realise the need to ensure that this project is done to avert the imminent danger that might occur.

As Senator Ewa-Henshaw said, in 2007 some money were put in the Budget for this same Kashimbilla Dam but the Ministry removed the money

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because they did not like to implement that budget at that time. Therefore, it is very important for this Senate to take note of all these budgets and its implementation. If we supervise the implementation of budget, I believe things like this would not threaten the existence of some parts of this country.

Now we are approaching the 2010 Budget. This is an on going project and the contractors are on site. So, we are appealing that we look into this issue. I can tell you that there is already some work done in that place and there are outstanding payments to the contractors. So, if the contractors would only be paid for the outstanding payments, then the job would still be left as it is and that would amount to taking one step forward and two steps backwards. Therefore, it is very important for us to look into this and ensure that a lot of money is put into this Lake Nyos and Kashimbilla Dam.

Furthermore, it is important for the Committee on Water Resources to also look into all other dams that pose such dangers even if it is not of this magnitude. This is because there are a lot of problems in that Ministry. The issue of merging Agriculture with Water Resources is one a problem. If attention is paid to only agriculture and compromising water resources, it would not go down well. I believe we need water even for agricultural purposes.

Senator Andrew O. Babalola (Oyo North): Mr. President, this Motion is one of the few reasons we are gathered here as distinguished Senators of the Federal Republic of Nigeria. I want to ask my Colleagues that when we contribute to this type of issues, we should stop the idea of relating it to our Constituencies because we do not have to belong to a Constituency to address this type of issue. This is one of the issues why we are here.

As Senator Ida has said, the focus on this issue is too much on the Dam. As far as I am concerned and as a Scientist, the Dam is irrelevant. Whoever understands what is at stake in this matter, would know that the Dam is not the issue. The issue is that scientists have projected that in the very near future, there is likely to be a volcanic eruption from that lake. That is why the gas is coming out now. Just imagine somebody starting a fire with wood, you first see the gas where the fire is gathering under, that means the volcanic eruption is gathering under and the day it would erupt, it would affect a lot of people. What is the way out? In developed countries, what they would have done first would be to evacuate people to within a certain

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perimeter of that Lake and that is what we should be thinking about. Look at lives around that area that could be affected if the volcano erupts; that is what we need to do instead of spending N26 billion on a lake to capture water coming from down there when there might not be water. What will eventually come out is what we call volcanic acid that will kill people in millions.

This distinguishes Senate has a responsibility; we do not need to wait for the Executive. We can invite some Scientists from the United Nations to go there and tell us the state of the Lake is as at today so that we know. They can tell us precisely, maybe, when that would happen. The fact that the soil is weak means that the volcanic eruption is very imminent there. It is a pity that in Nigeria we always support something that will cost money; everybody is interested in the dam for one reason or the other but the dam is not the issue. The issue is the people living within the parameter around the Lake that would be affected if there is volcanic eruption.

I also want us to look at the body of the Motion talking about gas which is carbon monoxide. We should look at that again to ensure that the Report is presented properly. This is because carbon monoxide is a very dangerous gas that kills people in their sleep. So, we really need to look at how we could resettle the people around there somewhere else. In fact, that area should be converted to a natural area which should be guided for our children yet unborn so that they could see what is happening there instead of building a dam there and spoil the whole terrain. We can preserve the area and move people away from there and wait when this would happen. In the light of what we saw in the last three Budgets, that N26 billion for one project would not happen. The volcanic eruption would happen whether or not you build a dam. Therefore, what we need to do would be to use the money to evacuate the people living around there.

This is my contribution for now. When we get to the Prayers, I will propose additional Prayers.

Senator Victor Ndoma-Egba (Cross River Central): Mr. President, one thing about history is that it repeats itself and for us as Nigerians, our experience with history is that even though we know for certain that history will repeat itself, we are never ready when that repeat comes. The beauty of today's Motion is to alert and warn us that history is about to repeat itself and that this time we should be ready for that repeat.

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I remember very vividly the 21st day of August, 1986 when the world woke up to see images of thousands of people who had gone to bed that night and did not wake up from their sleep. I remember the various speculations that some foreign countries were carrying out some experiments in the area with new gases over new weaponry. Others were that some spirits were very angry with the people in the neighbourhood. But at the end of the day, we got to know that a peculiarity of Lake Nyos with its carbon dioxide content and I want to say here to my distinguished Colleague, Senator Babalola, that what we have on scientific record as the content of Lake Nyos is CO² and from my elementary understanding of chemistry, CO² is carbon dioxide. We got to know from scientific evidence that the CO² that was embedded in the Lake Nyos has found its way to the surface, mixed with water and formed the cloud that was rolling over the neighbourhood and exuviated people running into almost 2000 people and many more livestock.

This Motion by Senator Akaagerger to which I am a very graceful Co-sponsor is yet another warning that what we saw on the 21st of August 2006 may yet happen and it may happen sooner than later. What do we do? Do we take our normal attitude to history and wait for a repeat of history while we look the other way or we get pro-active?

A number of suggestions have been made. My understanding of the dam here is that it is a protective dam. It is to mitigate the consequences of whatever eruption that might happen. If that is so, it is a step that we must take. But in addition to the dam, we need to take every other step, including whatever early warning signal that we need to put in place to make sure that what happened on the 21st of August, 2006 does not happen again. This is because this time, it may be far worse than it was in 2006. If our responsibility as a Parliament is to ensure protection of lives and property, then this is the time for us to begin to think of what to do. I am not an expert in that area, but this gives us an opportunity to commission the experts in that area to begin to think of what we need to do and we must do what we need to do as quickly as we have to.

That is my contribution and I am totally in support of this Motion.

Senator Adego Erhiawarie Eferakeya: (Delta Central), Mr. President, I do not need to repeat what people have said. We talk of the impending danger, we

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have not talked of what is even happening now. From what we have heard, carbon dioxide is being released, it may not have acute effect. There is what we call chronic effect, which means the people living in that area may be inhaling carbon dioxide, because we are told that there is magma and definitely magma has carbonate which when decomposed will give you carbon dioxide and if you are continuously inhaling carbon dioxide, without acute effect, there may be chronic effect. It can even precipitate death which you may not even be able to account for in people who have predisposition; that is people who have already have lung diseases like asthma, chronic preliminary diseases, like emphysema. I want to emphasise this; we are talking of impending; there is something already happening to the people who are living in that environment because the outburst of release may not be happening now; the release may be going on continuously. This is the main effect we should look into, chronic effect, even though, there is no acute disaster.

I stand to support the Motion that we should put in place, like some people have suggested, to determine even the atmospheric content of carbon dioxide right there. This can easily be evaluated so that something is urgently done. Scientists may say that volcanic will occur in another 20 years or flood will occur in another two years. What of people who are inhaling carbon dioxide now? So, it is an urgent matter and I stand to support it.

Senator Suleiman A. Adokwe (Nasarawa South): Mr. President, I rise to give my support to this important Motion for the simple reason that I was opportune to visit in company of an Ad-hoc Committee, the ongoing construction of Kashimbillam Dam. The scientific report we have received surrounding the eminent collapse of the Lake Nyos is quite frightening and if you consider the consequences of the collapse to the Nigerian States that are bordering Cameroon is even more alarming.

The major problem that I am concerned with is that given the fact that when we went round this country there are so many abandoned dam projects that littered the country and the possibility that the Kashimbillam Dam may not be completed even in the next five years, the fear of mitigating the effect of Lake Nyos' explosion is even more frightening. That is just one aspect, as the scientists here have shown the gaseous emission from there will affect people is also another dimension.

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Even when we were at Kashimbillam, there were traces that the area itself is susceptible to tremor, which means that the entire region from Lake Nyos up to Kashimbillam in Nigeria, that is, the Cameroon Mountains is susceptible to volcanic tremor. Our major problem is how well equipped is NEMA to be able to evacuate people, if and when these things occur. As we see everyday on the television the immediate thing that affect countries is the ability to evacuate, like we saw happened during hurricanes, people were warned in good time and evacuations carried out before they happened. People were told to leave the area in good time.

Do we have the capacity to give such warnings and the capability to evacuate people as quickly as we can? That is why I support the suggestion that NEMA should be able to give us an overview of their readiness to deal with this problem if it occurs. It is a problem that may occur tomorrow or the next. Scientific predictions of eruptions are not usually very accurate. While they may say it will take place in five year's time, it could take place even in the next year. So, it is proper we invite NEMA to give us briefing on their readiness to deal with this situation if it arises.

I was reading in their Magazine recently where they are making very serious claims about the preparations they have to deal with emergencies in Nigeria and how they have improved. It will be good for the distinguished Senate to assess such claims and if there is any where we can take necessary legislative steps to enhance their readiness, it will do the country a lot of good. These are some of my observations.

Senator Jibril Mohammed Aminu (Adamawa Central): Mr. President, excellent speeches have been made, I just have few points that I think need to be made but have not been made.

Firstly, I agree entirely to what the last speaker said about the likelihood of this dam being built in the light of the reality of circumstances in this country. So, what do we do? If definite treatment is not available, you should do the conservative treatment; that is what we do in medicine. The people in that area should be made aware of this and taught how to escape from the dangers whenever they come.

Since Senator Adegbo Eferakeya said that already they are inhaling carbon dioxide, I do not think we can wait until we build a dam. This area is in the Cameroon but with the Green Tree Agreement following the

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Bakassi issue, the two countries are enjoined to embark on co-operative and development projects. Therefore, the Nigerian Government should approach the Cameroon and work together over the danger facing their peoples and this should be done right away. We do not need to wait for a dam to be built.

Secondly, we are lucky in this country because we do not have natural disaster, the kind of things we have been reading about in the Philippines, Indonesia and Japan about hurricane and earthquake. Therefore, our people are not really mentally attuned to natural disasters and our system is not also attuning to it. In addition to our various inefficiencies we do not have the psychological mind about addressing natural disasters because we are lucky we do not have them or even when we have them, we do not seem to know. Therefore, there is need for us in this country to be more aware of the potential natural disasters happening.

Distinguished Senator Akaagerger talked about in the event of an earthquake, what is the possibility? I would like to say that that area is prone to earthquake. The whole chain of Alantica Mountain from Chad down to the sea is actually volcanic and you can see this in a place like Goza where the mountain chains have been reduced to pebbles by what could have been an earthquake.

In 1977 there was a very loud noise around the eastern part of Benue State. People thought it was a new Concord Plane, but it was not an aeroplane and it was not a thunder clap either. It was most likely a seismic wave that passed in that area and caused the noise.

In 1983 there was actually a tremor which broke windows around Yola. Therefore, that area is prone to earthquake.

In 1986 which was mentioned, it was found that the indigenous people were living uphill and were not affected by the more recent settlers like the Fulanis and their cattle. Obviously, this has been happening from time to time and they learnt from their ancestors that they should not stay near the Lake, so, they go uphill. In other words, this thing is happening from time to time, it is not just a theory

We should pay particular attention to it in this country. The disasters that have been portended from the various discussions, is a very serious issue in this country of ours including Adamawa. The name Benue was actually derived from Adamawa, and my house is

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not too far away from the river in my Constituency of Adamawa Central. Therefore, I urge distinguished Senators to support it and the follow-up action to ensure that something is done, not just to talk about it and wait for the thing to happen. In the meantime, we should also pray to God Almighty that the real disaster does not come in our time or ever.

Senator Audu Idris Umar (Gombe Central): Mr. President, I was overwhelmed by the need to have something done on this dam otherwise, ordinarily I would have raised a Point of Order under Order 53 of the Senate Standing Orders to remind this distinguished Senate that an Ad-Hoc Committee was set up to investigate the problems of Nigerian Food Crisis and the entire Agricultural Sector. One of the areas the Committee has concerned itself with is the area of the dams all over this country. As my Colleague Senator Suleiman who is a Member of the Ad-Hoc Committee said, the Ad-Hoc Committee has gone round all the dams in this country. The Kashimbila Dam was one of the dams we visited and the Committee will be submitting its Report latest by the end of this month because the report is almost ready.

However, because of the passion we have on this dam and on the need to have a timely completion of this dam, I thought there is no point raising any Point of Order stopping this Motion from going ahead. Anything that will be done to ensure that this dam is completed within a record time must be encouraged by everybody even though you have not had the opportunity of seeing or hearing a lot about the dam on site. When the Committee visited the dam, we were informed by the engineers on site and we saw it ourselves the imminent dangers that non-completion of this dam poses to this country.

Coming to the issue of Lake Nyos, Senator Ewa-Henshaw has adequately briefed this Senate about the dangers the Lake poses to Nigeria. Lake Nyos is elevated on a very high altitude about two kilometres above sea level. So, the Lake is situate in a mountain as he rightly said. In 1986 the volcanic eruption that occurred which resulted in the death of 2,000 people and over 3,000 herds of cattle lost and a lot of farmlands perished within the 20 kilometres radius. The Lake in Cameroon pose a lot dangers to this country. There is the need for the construction of Kashimbila Dam which is supposed to serve as a buffer in the event Lake Nyos collapses. This is because the 2005 studies carried out by the United Nations indicate that within a period of five to ten years there is a possibility that Lake Nyos may break and in the event that it breaks,

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the water is going to splash into, perhaps, a distance of not less than 50 kilometres. It is very clear that where Kashimbila Dam is being constructed today is less than 100km away from Lake Nyos in Cameroon. Therefore, because of the high altitude of Lake Nyos, when it breaks, it is the territory of Nigeria that is more likely to suffer much more than Cameroon. The poisonous gas that was emitted during the 1986 eruption could not flow to Nigeria because of its heavy nature but it is the residents of Cameroon within 20 kilometres radius that suffered it. But if the Lake eventually breaks, it is the Nigeria's territory that is going to suffer, therefore, the need for the construction of Kashimbila Dam became very important.

Kashimbila Dam has a reservoir capacity of 500 million cubic meters of water and from the studies, the entire body of water within the Lake Nyos is not up to 500 million cubic meters of water. Therefore, in the event that the Lake breaks, the Kashimbila Dam that is now being constructed has a reservoir capacity to store all the water that may likely flow in from Lake Nyos.

Apart from the fact that the dam has the advantage of serving as a buffer, we have been told that the dam has a potential to give us about 2000 hectares of farmland. In fact, it is part of the contract that the contractors are going to equally put in place irrigation facilities to deliver 2000 hectares of farmland. Apart from the 2000 hectares of farmland; part of the contract is also for the construction 20 megawatts capacity electricity hydro power plant. Therefore, apart from the fact that the dam is going to serve as a buffer, we have two advantages of irrigable land as well as hydroelectric power to the tune of 20 megawatts.

From our own studies, we have found out as has been rightly said by Senator Ewa-Henshaw and Senator Nazif that there seem not to be serious on the side of the Ministry and the Government in really pursuing this dam to its logically conclusion. In giving the advantages and importance this dam is going to serve for this country, it is very important that we pass this Motion urging the Federal Government to see to its timely completion.

The 2005 prediction says five to ten years, we are already in 2009 and very soon we will be in 2010 and the five years would have gone. As Senator Suleiman said, it may not even be up to ten years, maybe, in the next one or two years, the Lake in Cameroon may probably break and if it breaks, God forbid, we know the consequences. The entire Katsina Ala region coming down to Lokoja will be over flooded because

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that is what the studies have clearly indicated. On this note, I urge our Colleagues to support this Motion.

Senator Grace Folashade Bent (Adamawa South): Mr. President, this is yet another very worrisome situation that we found ourselves in this country. My Colleagues have expressed their state of mind and their worries about this Lake Nyos. I am worried about our attitude towards this sort of development in our country. In this Motion, distinguished Senator Akaagerger wrote here that a Technical Committee was set up to evaluate this flood disaster, the vulnerability and the assessment and up till now the recommendations that were proffered have not been implemented.

Secondly, we are aware of what is going on across the world today. As a matter of fact, the issue of environment has come above every other issue across the world. It has become a priority agenda for every nation. I am particularly amazed that in Nigeria the issue of environment remains a non-priority agenda. I knew what we went through to pass the Climate Commission Bill.

Of course, people might wonder and feel we are making so much noise about the environment. I make bold to say that everything is about the environment. We cannot be sitting down here if the Nigerian environment is endangered. We cannot be sitting down here if the Nigerian environment is impeded which, of course, it is. But because we are in Abuja we are not at the active side where environmental problems are imminent we just overlook some of these things.

The situation in Lake Nyos is a very delicate one that must be addressed very urgently. Recently, a survey was made by the United Nations and it has been proved and established that Nigeria will soon witness a very dangerous earthquake. It is around the corner. With the way the Lake is, the level it is now, we do a lot of praying but we do not act. Prayers without action amount to nothing. God Almighty expects us to do the right thing. We do not just sit on the bench and assume that because we have prayed, of course, out of God's mercy He does so many things, but these are very obvious lapses on the part of everybody in this country especially the government. A dam of this magnitude that money has been appropriated for is yet to be completed.

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They keep talking about NEMA. The structure of NEMA cannot make it sort out anything about this Lake except we want to deceive ourselves. NEMA is not positioned to do such things. Except the Act that established NEMA is amended, honestly, we would just be wasting our time talking about repositioning of NEMA. The only way NEMA can be repositioned is to amend the Act that established it, which I have already discussed with my Colleague, Senator Smart Adeyemi. We are going to bring that amendment. If that amendment is not worked on, then forget about NEMA intervening into very serious issues like this.

The carbon dioxide in the Lake which we are all afraid of has been discussed extensively. But, one thing that we must bear in mind is that, whether we like it or not, the issue of climate change remains a very deadly issue, a monster that is staring into our faces. When we talk about climate change people just politicize it. We keep saying that in as much as the African continent has not been responsible for polluting the environment, yet the African continent is bearing the brunt more than any other continent in the world. Unfortunately for us, Nigeria happens to be one of the tagged countries that might be dangerously affected.

I want to submit that the Environmental Committee and the Ministry of Environment has not been appropriately equipped to face the challenges that climate change or any environmental problem might pose. Of course, when the Budget comes, you find that the budget on environment is always meagre and nothing to write home about. I support this very delicate Motion. It is an extremely delicate one because as the Mover said, we are sitting on a keg of gun-powder, if we do not quickly arrest the situation. The only way to arrest it is for the various Committees; the Water Resources and the Environmental Committees to work together. If it means going the site again, I heard that Senator Ewa-Henshaw has gone there; we have not been involved in this whole thing because I have not been too acquainted with the development. But, we in the Committee on Environment, will go there on oversight function and assess the situation and come back to report to you.

PRIVILEGES

Senator Nimi Barigha-Amange (Bayelsa East): Point of Order.

The Deputy President: What is your Point of order, Senator Barigha-Amange?

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Senator Nimi Barigha-Amange: It is Orders 14 and 15.

The Deputy President: You may read.

Senator Nimi Barigha-Amange: Order 14 (a) reads:

Privileges are the rights enjoyed by the Senate collectively and by the members of the Senate individually conferred by the Legislative Houses (Powers and Privileges) Act Cap 208, Laws of the Federation 1990, and other statutes, or by practice, precedent, usage and custom.

Order 14(b) says: *Whenever a matter of privilege arises, it shall be taken up immediately*

Order 14(c) says: *In cases where adequate provision is not made in this Standing Orders, the Senate shall, by resolution, regulate its procedure.*

Order 15 reads: *Any senator may rise at anytime to speak upon a matter of Privilege suddenly arising, and he shall be prepared to move, without Notice, a Motion declaring that a contempt or breach of privilege has been committed, or referring the matter to the Committee on Ethics and Privileges, but if the matter is raised in Committee of the Whole Senate, the Chairman shall leave the Chair to report progress.*

Mr. President, I will like to refer us to the publication of *The Vanguard* of yesterday, page 10, where it was stated that the Senate has indicted PDP Chieftains for mismanagement of ₦300 billion. I was not aware of anytime the Senate met.

The Deputy President: Do you have the publication with you?

Senator Nimi Barigha-Amange: Yes, I have the publication here.

The Deputy President: Please lay it on the Table. *(A copy of The Vanguard Newspaper of 7th October, 2009 accordingly laid on the Table)*

Do you wish to move any Motion?

Senator Nimi Barigha-Amange: Mr. President, my position on this matter is that the Senate had never

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met to my own knowledge and indicted PDP Chieftains of mismanaging ₦300 billion. Therefore, if that type of indictment is contained in the report, the Ethics and Privileges Committee should investigate how the report was leaked out to the public before getting to the Senate.

The Deputy President: Is any body seconding the Motion?

Senator Abubakar Danso Sodangi (Nasarawa West): Mr. Senate President, I rise to second the Motion ably moved by Senator Nimi Barigha-Amange which you obliged him and we are very grateful. It is an impromptu and a very worthy Motion to clear the doubts that have been impugned on all the Senators, particularly the PDP Senators. We have never discussed any misappropriation of fund by the PDP National Caucus or anybody at all. So, it is good that this matter is brought here for us to discuss at the appropriate time.

The Deputy President: The matter is referred to the Committee on Ethics and Privileges to report back in two weeks. (*Matter accordingly referred to the Committee on Ethics and Privileges to report back in two weeks*)

We will take Senators George Akume and Smart Adeyemi and then take the Prayers.

Senator George Akume (Benue North-West): Mr. President, I rise to associate myself completely with this Motion which is very timely because of the urgency of the issues raised therein.

You may recall that when the Cameroonian authorities started the construction of the Dam at Lake Nyos, they informed Nigerian authorities for collaboration. They wanted input from us and we were very lackadaisical and never reacted to it. As soon as the construction work was completed, we witnessed a dwindling of water in the River Benue and this was also occasioned by massive silting in the river.

Today, we are in the next stage of inaction. Continuing erosion of the wall of this dam will certainly lead to a disaster. The United Nations and the Technical Committee have warned. When I was the Governor of Benue State we met with Federal Authorities. All the States affected such as Adamawa, Taraba, Benue and Kogi had both separate and collective Reports. The Federal Government was expected to act, but up till now they have not acted.

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Tomorrow, God forbid, we may be visited by a huge tsunami for the first time in this country.

When you visit Lake Nyos, the Cameroonian authorities have evacuated their people from the place. Poisonous gases are there, not only carbon dioxide - I have forgotten the other one but our Chief Consultant on science is here, he knows the other poisonous gases in Lake Nyos.

We have finished the stage of consultancy. I recall we made wonderful recommendations to have Bafa and Mai Dams to hold back the water. When Lake Nyos bubbles, Benue yawns and sneezes and you find water all over Makurdi. You find water in the towns and Rivers Benue and Katsina-Ala. Let me narrow it to Benue, the Report says: *All the towns by the side of the river will be submerged, Makurdi will be substantially submerged. The high level area, the low level area and the Ankpa area just one third of Makurdi Township will survive this onslaught.*

So, we have passed the stage of consultancy and consultation. Now is the time for the implementation of these recommendations. Do we have the resources in the budget to implement these decisions? Are we committed to the implementation of these decisions? If we have not got the resources, this is the time to come up with a very smart way of handling this. If we can buy from somewhere, let us start the work and ensure completion of what we have started through generous allocation of resources in the relevant Ministries as mentioned by Senator Grace Bent and some of my Colleagues; environment, agriculture and water resources. It is a very serious issue. It portends great danger to some parts of Nigeria. When Senator Akaagerger said we sit on a keg of gun powder, it is very, very true. Occasionally, in Makurdi, anytime there is a little bubble in the Lake Nyos, we suffer heavy flooding. So, if there is a major calamity at Lake Nyos we would be finished.

Some of you here have tasted the exotic and very sweet fish from River Benue; the fishes would also be gone. Human beings will be finished and so we lose virtually everything. That is when we will wake up and say there is a delegation going to console the remaining people in the state. Let us act now by making adequate provision in the budget for the implementation of the recommendations that have been made.

I thank you very much, Mr. President, for allowing me to speak.

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Senator Smart Adeyemi (Kogi West): Mr. President, I rise on behalf of Kogi West Central District and, indeed, the masses of the Federal Republic of Nigeria to say as one of the co-sponsors of this Motion that I have listened attentively to the various contributions and I want to commend my Colleagues for all they have said. I would not want to repeat some of the issues that have been raised but I just have an issue which I feel we have tactically refused to talk about.

We have talked about the fact that there have been budgetary allocations over the years but we fail to accept the fact that it is the responsibility of legislators to ensure the implementation of budgets. It is the responsibility of the National Assembly to ensure that when we pass budgets that they are implemented. So, over the years some people should take responsibility for this problem.

I heard Senator Akume saying that when he was a Governor, so he should equally take the responsibility of refusal or the negligence on the part of those who were in government at that time to take the actions that were required before now. All of us were talking grammar here and we failed to accept the fact that it is our responsibility. It is as a result of our own failure that we have not done anything or that the government has failed to do anything about the problem we are discussing.

We should be courageous enough to accept this. Now, we should take the step that is required by either setting up a Committee or ensuring that in 2010 we actually monitor and ensure that government implements whatever proposal that is going to be in the budget towards ensuring that we save the lives of our people.

Come to think of it, today we are so integrated in this nation. In fact, the whole world, they say, is a global village, so nobody can rule out the possibility of himself or any of his relation being around the so-called endangered States of which my State is one of the ten States that have been mentioned. More importantly, we should take the issue of budget implementation with all the seriousness it deserves. If for that we are going to have disagreement with government, let it be because we are the representatives of the people. If we were so elected to represent the people and we are recommending certain things to be done or certain projects to be executed in order to improve the lives and standard of living of those who have elected us, I do not

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think that would amount to disloyalty to our parties or to the government.

So, I would just summarise, as I said, I do not want to repeat some of the issues that were raised, it is the failure of those of us who were in the National Assembly before now; the ranking Senators and the ranking Members of the House of Representatives who actually kept quite over the years. Those of us who are here now, by the grace of God by next year we would ensure that whatever we are recommending in the 2010 budget, as far as this project is concerned, that is, this Lake that is threatening the lives of our people will be implemented.

The Deputy President: As the Chairman of the Committee supervising NEMA to tell us what NEMA is doing but you have not told us. You just blamed those who were in the National Assembly before you. The matter is right on your door step.

Let me thank distinguished Colleagues for their contributions. It has been a lively debate, very informative and exciting. I also want to thank particularly the Committee on Water and our Ad-hoc Committee on Agriculture for taking proactive action to find out what is happening in this Lake and to have informed us adequately this afternoon. Let me also thank our Colleagues here with science background for the insight they brought to bear in this discussion.

We as a country may be lucky but certainly not immune to natural disaster and that is why we need to take action now and this is the time to take action. I also know that the issue of this Lake is not the only danger facing us as a country. Lagos as a Coastal State and other such States are endangered on account of the climatic change. I believe that our Committees on Health, Environment and Water need to engage the relevant Agencies at this time to ensure that we are prepared to deal with these disasters if they do come. We only hope and pray that they will never come. But that is just hope; so it is important that our Committees engage the necessary Agencies of Government and Ministries to ensure that we are prepared to deal with these situations.

It is also important that now that the Kyoto Protocol will be reviewed in December that Africa participates fully because the life span of that Protocol will end in 2012. Now that it is being reviewed, it is important that we participate so that we can bring to the table our own fears and the way it will affect us so that

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the post 2012 text will accommodate our interests and our fears. It is not a situation where at the end of the day, they would prepare text somewhere and expect us to be signatories to such text. Even America refused to sign the Kyoto Protocol. I am sure that Nigeria and, indeed, the rest of Africa should be part and parcel of reviewing the Kyoto Protocol so that our fears would be accommodated.

Having said this, I want to thank everybody that has contributed and we will go straight to the Prayers.

Senator Abubakar Sodangi: Mr. President, as a co-sponsor of this Motion, I have not been privileged to say anything but I want to associate myself and concur to all the beautiful and well articulated submissions of my Colleagues.

Before we go to the Prayers, in Prayer (b) there is an omission there. If you permit me it says in part; *but nothing tangible is yet to be done*. It should be; *but nothing tangible is yet to be done*. That should be corrected.

The Deputy President: We will now go to Prayer (i) which says: *Urge the Federal Government to hasten the timely release of the N26 billion meant for the Kashimbilla buffer dam project which will contain the flood waters from Lake Nyos*.

Which Budget; is it the 2009 Budget?

Senator Akaagerger: It was 2007 Budget.

The Deputy President: How do we release the fund in 2007 Budget in 2009?

Senator Andrew Abidemi Babalola: Mr. President, in view of the observation that you have just made, I will like that we correct the first Prayer to read as follows: *Urge the Federal Government to ensure that whatever amount is required to finish the construction of the Kashimbilla Dam is included in 2010 Budget as a matter of urgency*.

Senator Suleiman Mohammed Nazif (Bauchi North): Mr. President, the issue is that once there are available resources, the project would be completed within 24 months. So, what we should capture here is; whatever resources available it should *available to pay for work done as well as the work to be done in future within the 2010 Budget*. It supposed to reflect 2010 Budget.

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The Deputy President: That is exactly what it says. I will now put the Question on Prayer (i) as amended by Senator Andrew Babalola.

Amendment put and agreed to.

Prayer (ii) says: *Urge the Federal Government to initiate other immediate steps such as installation of early warning devices, commencement of drills and sensitization exercises to respond to the impending natural disaster, since a stitch in time saves nine*

Senator Mohammed Kabiru Jibrin: This is a very disturbing Motion disclosing very enormous and vital information about the existence of large section of Nigeria and as such, we should do more than just urge the Federal Government to do things that appear inconclusive as to properly protect the possession of Nigeria both in terms of lives and properties in the land area and also to ensure that adequate measures are put in place. Instead of doing a half hazard arrangement like this, we should do a little bit more.

My suggestion is that we should constitute a Committee to further investigate, perhaps, including holding a Public Hearing all issues surrounding the ecological status of Lake Nyos and make recommendations to the Senate. This way, we will be able to directly tell the Federal Government specifically what things need to be done after hearing from experts in the area. That can take the place of just urging the government to do something now which could be inconclusive and could probably mar other things that might be disclosed in the future from further scientific studies on the issue. It will be better if we substitute it with constituting a Committee to investigate, hold Public Hearings and conduct all other discussions with all relevant institutions and experts on the field with a view to bringing this matter properly to light so that we can be better informed than urging the Federal Government to do this and that for these people.

Senator John Nanzip Shagaya (Plateau South): Mr. Prresident, I want to say that what my Colleague here is proposing is an additional Prayer. It is not an Amendment to Prayer (ii).

Senator Ibrahim Mohammed Ida: I subscribe to what the last speaker said but I want to make a slight Amendment to Prayer (ii).

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To urge the Federal Government to initiate other immediate steps such as installation of early warning devices, commencement of drills and sensitisation exercises to *prepare for* rather than *to respond to* – because we are to prepare for the impending natural disaster rather than to respond to because it has not happened yet.

Senator Suleiman A. Adokwe (Nasarawa South): I agree to the last Amendment and I have further Amendment which should read as follows: *Urge the Federal Government to take immediate steps such as installation of early warning devices, commencement of drills and sensitisation exercises to prepare for the response to the impending natural disaster.* There is no need to add the word; *since a stitch in time saves nine.*

The Deputy President: I agree with you. I would now put the Question on the amendment by Senator Adokwe.

Amendment put and agreed to.

Prayer (iii) says: *Invite the leadership of the National Emergency Management Agency (NEMA) to brief the Senate on this impending natural calamity including the sensitisation exercises.*

Senator John Nanzip Shagaya: I am suggesting that Prayer (iii) should read thus: *The leadership of the National Emergency Management Agency (NEMA) to brief the Senate on their plans to handle this potential impending natural disaster.*

Senator Munirudeen Adekunle Muse (Lagos Central): Mr. President, the Amendment I would suggest is that instead of inviting NEMA we can invite the Chairman of the Technical Committee that was appointed by the then Federal Government to come and brief us on their works and recommendations submitted to the Federal Government.

Senator Audu Idris Umar: It would be too unruly to invite the leadership of NEMA to address the entire Senate on this matter. Rather than doing that we should invite the leadership of NEMA to address the Committee on Agriculture and Water Resources and the Committee on Environment jointly, so that they can report to the Senate.

The Deputy President: What of Committee on Health?

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Senator Andrew Abidemi O. Babalola: Mr. President, what is most important and paramount at this point is not waiting for the disaster but evacuating people within the radius of disaster.

The Deputy President: We are amending Prayer (iii), if you have additional Prayer you wait and bring it up later.

Senator Mohammed Jibrin: Mr. President, I honestly believe that NEMA is not in a position to brief us technically or scientifically on issues surrounding Lake Nyos' status and ecological condition at the moment. NEMA does not have the capacity. It is an institution established to respond to calamities that took place. It is not in charge of ecological investigation or studies. It is not the Aviation Ministry that has Department of Metrology. It is not Science Ministry or Environment Ministry which has various departments for investigating some of these things.

If we want to really show our concern for this, we should go round and collect all information that is necessary, perhaps, through the Committees that are necessary or constitute another Committee to do it. If you call NEMA it would give you, maybe, less than 50 per cent of the information that you require to propose anything for the nation in terms of adequate protection of the people in that area.

My suggesting is that we should constitute a Special Committee to investigate all issues. The Committee should invite all relevant departments of government instead of just calling NEMA. NEMA may not be able to give us all the information which we require. It is not obliged to do, unless, of course, if we ask the mother Ministry or the Presidency insists that they do which is rather cumbersome and may not satisfy our requirement.

So, I suggest that Prayer (iii) should go and in its place, we should constitute a Committee that would properly investigate, invite NEMA or anybody else to come and give us better information with technical data and resources.

Senator Jibril Mohammed Aminu: I entirely agree to what he said because health deals with the consequences not particularly medically, once you know somebody is poisoned with carbon dioxide or for that matter NEMA. The thing is to deal with the mechanism and that is really the job of two Ministries;

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the Ministry of Science and Technology and the Ministry of Mines because that deals with geological service and these are the people connected with this. I would recommend that whether you are going to hand it over to a Committee or to set up another Committee that would be the way to do it.

Since I am on my feet, kindly allow me to also mention that we should call on the Nigerian Government to approach the Government of Cameroon at the level not below Ministerial level to discuss this common disaster facing the two countries particularly in the context of the Green Tree Agreement but also of neighbourhood and other protocols and this is an important issue that shows how serious the government holds it. If they go to the extent of sending a Minister or holding meeting between two Ministers or two Heads of State, then it is very likely they would also take it seriously in budgetary terms. So, I recommend that.

The Deputy President: All right, prepare it for additional Prayer.

Senator Bassey Ewa-Henshaw: Mr. President, we need to understand what we are trying to achieve. The first is the completion of the dam that can absolve the intake of water in case of collapse and that completion hangs between the Ministry of Agriculture and Water Resources primarily and Ministry of Environment because it concerns the environment, too. Also to be involved is the Ministry of Finance. So, those are the people that we need to approach to ensure that funding is made available immediately to complete the dam.

The second point is, in case of a disaster, the preparedness which to some extent Prayer (ii) has dealt with but it is under that preparedness that we should be talking about all these agencies; Science and Technology, Environment, Agriculture and so on and so forth not for any further studies, all the studies that are required have been done, but to prepare a programme of response in case something occurs.

The Deputy President: What is your suggestion then?

Senator Ewa-Henshaw: My suggestion is to expand Prayer (iii) to include the Ministers of Agriculture, Environment, Science and Technology as well as Finance to get together as a Committee to discuss funding and preparedness to respond to the disaster if it occurs.

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The Deputy President: Is it not better we put together a Committee comprising of the Chairmen and the Vice Chairmen of the relevant Committees that will now liaise with the relevant Agencies and report back to us.

Senator Audu Idris Umar: Mr. President, we need to understand the import of this Motion. What we are trying to achieve is that the construction of this Kashimbilla Dam should be completed. The need for the completion of the Dam was as a result of the studies and the early warning signals that we got from the United Nations. To constitute another Committee to start another investigation or studies would be a wasteful exercise because these things have already been done. We have all the literature. As I said, the Ad-Hoc Committee is submitting its Report by the end of this month to this distinguished Senate. All this information and data are contained therein.

As Senator Ewa-Henshaw rightly said, the volcanic eruption occurred in 1986 and calamities followed thereafter. The United Nations warning to Nigeria was in respect of the imminent danger of collapse of the Lake Nyos and that if it collapses, the water flood is going to affect Nigeria more than Cameroon Republic.

The Deputy President: You made that point earlier.

Senator Audu Idris Umar: The volume of water in Lake Nyos is not as much as the capacity of the dam that is being constructed in Kashimbilla. The reservoir capacity of Kashimbilla Dam is 500 million cubic meters of water.

The Deputy President: You made those points before, what we are asking now is, if we need to invite NEMA? That is what you need to address us on.

Senator Audu Idris Umar: Quite frankly, there is no point inviting NEMA. All we need to do is to ensure that the relevant Ministries of Government pump in money to complete this Dam.

The Deputy President: You have said that in Prayer (ii) and we have taken care of that already.

Senator Adegbo Erhiawarie Eferakeya: Mr. President, when you talk of the dam, you are talking of flood and to say that all investigations have been done, I raised a point that if you make the dam today and you

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can curtail the water, that does not stop the release of carbon dioxide and this is a perennial problem to the health of the people. So, I do not believe that all investigations have been done. What are we doing to ensure that the people living in that environment are not continuously inhaling the carbon dioxide? How much carbon dioxide is being released, have all these been quantified?

The Deputy President: Now, the issue is, what do we do to Prayer (iii)?

Senator Adegbo Erhiawarie Eferakeya: We still need to investigate and the appropriate Ministries that should do that should be informed. They may not even have the equipment for doing that.

The Deputy President: Why do you not articulate that as an additional Prayer, please?

Senator Joseph Akaagerger: Mr. President, studies have already been concluded in these areas. There are two key areas; de-gassing the Lake and also taking appropriate measures to contain the emergence of that flood. Already the Cameroonian authorities have adopted a method, in which they have put some pipes in the base of the Lake, emitting some degree of carbon dioxide but it is not sufficient. If in the end Nigeria joins up in that exercise and we are able to completely de-gas the Lake, we may not be thinking about the gas problem at all. This is what scientific studies have proved. May I read an amendment to Prayer (iii) in order to capture this point?

The Deputy President: Are you withdrawing Prayer (iii) now?

Senator Joseph Akaagerger: I am amending it to read thus: *Invite the Ministers of Agriculture and Water Resources, Environment, Health and Finance including NEMA to brief the Senate on their level of preparedness.*

The Deputy President: To brief the whole Senate or its Committees?

Senator Joseph Akaagerger: To brief the relevant Committees who will report back to the Senate.

Senator Ibrahim Mohammed Ida: Mr. President, I think Prayer (iii) should go and any other Amendment should come as an additional Prayer. Prayer (iii) as presently stated here should go.

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The Deputy President: So, I will put the Question whether Prayer (iii) would remain or not.

Question put and negatived.

Senator Jibril Aminu, are you ready with your additional Prayer?

Senator Jibril Mohammed Aminu: My additional Prayer will read thus: *That the Federal Government immediately approaches the Government of the Cameroon Republic at a level not below Ministerial level and in the context of the Green Tree Agreement, our good neighbourliness and other Protocols to discuss and deal together with this common danger of Lake Nyos.*

Several distinguished Senators: We did not hear him.

The Deputy President: He is talking about setting up a Joint Commission involving Nigeria and Cameroon to deal with this common issue because the Lake is situate in Cameroon. There is little or nothing Nigeria could do outside putting together a Commission unless we are going to deal with it as it affects our own territory.

Question on the Additional Payer put and agreed to.

Senator Ahmad Ibrahim Lawan (Yobe North): Mr. President, I want to propose an additional Prayer and it reads thus: *Invite the officials of the Federal Ministry of Science and Technology to brief the Senate on the monitoring efforts by the Ministry for real time information.*

Let me explain the basis of this additional Prayer. The Ministry of Science and Technology is the ministry that supervises the National Remote Sensors Centre and all the agencies that have to do with geographic information system. These are the organisations that have the capacity and the technical know-how on the possible monitoring of what is happening in that Lake and any possible explosion. So, they are supposed to be on alert. They could detect with sufficient degree of reliability of how the explosion could happen. So, I believe there is need for them to be involved.

The Deputy President: I will put the Question on the additional Prayer.

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Question put and negatived.

Senator Mohammed Jibrin: Mr. President, I was happy with the Prayer introduced by distinguished Senator Jibril Aminu, but I think the Senate needs to be more informed, as a result, I am proposing this additional Prayer thus: *That the Senate do resolve to constitute an Ad-hoc Committee to further investigate including holding Public Hearing on all issues surrounding the ecological status of Lake Nyos and make recommendations to the Senate.* I believe this Prayer would give us additional information about the things we need to do to further protect the area.

Question put and negatived.

The Senate accordingly resolved to:

- i. *Urge the Federal Government to ensure that whatever amount is required to finish the construction of the Kashimbilla Dam is included in 2010 Budget as a matter of urgency.*
- ii. *Urge the Federal Government to take immediate steps such as installation of early warning devices, commencement of drills and sensitisation exercises to prepare for the response to the impending natural disaster.*
- iii. *Urge the Federal Government to immediately approaches the Government of the Cameroon Republic at a level not below Ministerial level and in the context of the Green Tree Agreement, our good neighbourliness and other Protocols to discuss and deal together with this common danger of Lake Nyos.*

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Deferment of all other Items on the Order Paper

Senator Teslim Kolawole Folarin: Mr. President, to enable our distinguished Colleagues going to Kaduna for the Retreat to go and prepare for the journey, I move that all other items on the Order Paper be stood down till another legislative day.

Senator Adeleke Olorunnimbe Mamowora: Mr. Senate President, pursuant to the reason adduced by the Leader, I hereby second the Motion as moved that other items on the Order Paper be stood down to another legislative day.

Question put and agreed to.

(By leave of the Senate other items on the Order Paper accordingly stood down to another legislative day)

ADJOURNMENT

Senator Teslim Kolawole Folarin: Mr. President, I now move that this Senate do adjourn till Tuesday, 13th October, 2009, at 10 00 a.m.

Senator Adeleke Olorunnimbe Mamowora: Mr. Senate President, I rise to second the Motion as moved by the Senate Leader.

Question put and agreed to.

Resolved: That the Senate do stand adjourned till Tuesday, 13th October, 2009 at 10.00 a.m. prompt.

The Senate adjourned accordingly at 1.15 p.m.