



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 23 October, 2007

1. The Senate met at 10.45 a.m. The Senate President read prayers.
2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings of Thursday, 18th October, 2007 and approved same.

By unanimous consent, the Votes and Proceedings were approved.
3. **The New World Heavyweight Boxing Champion – Samuel Peter (Nigeria Nightmare):**
Motion made and Question Proposed: That the Senate notes that Nigeria made boxing history on 6th October 2007 by being the first African country to win the coveted WBC World Heavyweight Boxing title;

Notes that Samuel Peter by winning the championship has brought glory not only to Nigeria, but the whole of black Africa;

Notes also that Samuel Peter's victory has once again drawn attention to the enormous potential which the average Nigerian possesses not only in the boxing game or in soccer but in all fields of human endeavour;

Observes with excitement that Samuel Peter despite suffering three (3) knock-downs in the early second and third rounds of the fight got off the canvass to beat Janeel McCline to retain his WBC Interim World Heavyweight title at the famous Madison Square Garden, New York, in the twelfth round by unanimous decision thus proving to the world that he is a true example of that fighting spirit that has become a unique brand by which Nigerians are identified;

Accordingly requests:
That the Senate do:
 - (i) send a letter of commendation to Samuel Peter for the honour he has brought to Nigeria and the whole of Africa;
 - (ii) congratulate the President, Commander-in-Chief of the Armed Forces, National Sports Commission and all Nigerians for this great honour;
 - (iii) urge the President, Commander-in-Chief to adequately reward the WBC, Champion beyond the esteemed presidential handshake;
 - (iv) urge the National Sports Commission to ensure Nigeria's retention of the title by sponsoring Samuel Peter in the title defence that is coming up in three months time;

- (v) urge the National Sports Commission to adequately upgrade all sporting facilities in the country so as to produce more world champions in all sporting fields especially in the individual sports;
- (vi) commend the Akwa Ibom State Governor, Barr. Godswill Akpabio, who sponsored the live broadcast of the match and for personally sitting at the ring side to cheer Samuel Peter to victory (*Senator Aloysius A Etok*).

Debate:

Prayer (i):

Question:

That the Senate do send a letter of commendation to Samuel Peter for the honour he has brought to Nigeria and the whole of Africa — *Agreed to*.

Prayer (ii):

Question:

That the Senate do congratulate the President, Commander-in-Chief of the Armed Forces, National Sports Commission and all Nigerians for this great honour — *Agreed to*.

Prayer (iii):

Question:

That the Senate do urge the President, Commander-in-Chief to adequately reward the WBC, Champion beyond the esteemed presidential handshake.

Amendment Proposed:

Leave out the word "reward" in line 1, and insert the word "honour" instead thereof (*Senator Omar A. Hambagda*).

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

Further Amendment Proposed:

Leave out the words "beyond the esteemed presidential handshake" (*Senator Mahmud K. Bello*).

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

Question on main prayer as amended, put and agreed to.

Prayer (iv):

Question:

That the Senate do urge the National Sports Commission to ensure Nigeria's retention of the title by sponsoring Samuel Peter in the title defence that is coming up in three months time — *Negated*.

Prayer (v):

Question:

That the Senate do urge the National Sports Commission to adequately upgrade all sporting facilities in the country so as to produce more world champions in all sporting fields especially in the individual sports — *Agreed to*.

Prayer (vi):

Question:

That the Senate do commend the Akwa Ibom State Governor, Barr. Godswill Akpabio who sponsored the live broadcast of the Match and for personally sitting at the ring side to cheer Samuel Peter to victory — *Negated*.

Resolved:

- (i) That the Senate do send a letter of commendation to Samuel Peter for the honour he has brought to Nigeria and the whole of Africa;
- (ii) That the Senate do congratulate the President, Commander-in-Chief of the Armed Forces, National Sports Commission and all Nigerians for this great honour;

- (iii) That the Senate do urge the President, Commander-in-Chief of the Armed Forces, to adequately honour the WBC Champion; and
- (iv) That the Senate do urge the National Sports Commission to adequately upgrade all sporting facilities in the country so as to produce more World Champions in all sporting fields especially in the individual sports (*S. Res/026/07*).

4. **Menace of Erosion in the South-East Geo-Political Zone:**

Motion made and Question Proposed: That the Senate do notes the increasing problem of erosion in several parts of the South-East geo-political Zone of the country which has claimed and continues to claim lives and properties;

Notes that the erosion problems have led to the displacement of populations and communities from their homes;

Notes further that large acres of farmlands and arable lands for agricultural production have been destroyed and lost to erosion;

Notes that erosion has worsened the state of the Federal, State and Local Government roads in the Zone;

Concerned that the South-East geo-political zone with relatively small land mass is losing substantial part of its land mass to erosion;

Alarmed that more than half of the country namely the whole of South-East, North Central and South-East Zones will be thrown into total darkness for a very long time if nothing is done urgently to check the gully erosion which is threatening the twin towers of the PHCN installed at Ifite-Dunu in Anambra North Local Government Area which transmits 330 KVA of electricity from the Niger Delta;

Notes specifically that gully erosion ranging from 10ft - 50ft (depth) and 2.5km (length) has claimed over 50 lives in the following communities of Imo State, namely:

- (A) **Imo State:** Oparadim, Obohia, Eziudo, Chikoneze, Amunmara all in Mbaise, Amakohia-Akwakuma in Owerri, Umuneke-Ngor all in Imo State;
- (B) **Anambra State:** Okwuohia, Okwelle and Agulu-Nanka, Umazu Abacha, Umuekpeli-Akanano Abacha, Egbema-Ozubulu, Ifite-Dunu, Umudim Nnewi, Ekwuluobia and Ogbaru all in Anambra State. And at the following sites in other South-East States, the situation has reached equally frightening proportions;
- (C) **Abia State:** Arochukwu, Isiala Ngwa, Abia State University site, Ababa - Okigwe, Isukwuato, Amakaka
- (D) **Enugu State:** Obollo Afor, Onuyi Nsukka, Ikem, etc
- (E) **Ebonyi State:** Nkalagu-Ogoja Highway, etc

Observes that the recent spate of flood across the country has aggravated the erosion problems in the zone as illustrated by the case of Pa Ilisha Ezeokeke, the 75 year old man whose four children were swept away by flood on 16th August, 2007 at the valley of the Nanka Erosion Site.

Regrets that the inability of the Federal Government and its Agencies to checkmate the erosion menace in the region which is beyond the scope of State Governments has led to continued loss of useable land, rendering important roads impassable while communities are cut off; loss of lives, properties and a state of perpetual fear among the affected communities;

Accordingly requests:

That the Senate do:

- (i) urge the Federal Ministries of Environment, Housing and Urban Development and Works in conjunction with the Ecological Fund Office to undertake without delay, assessment visits with a view to taking immediate intervention measures to arrest the dangerously rampaging erosion landslide in the following communities: Oparanadim, Obohia, Eziudo, Amumara, Amakohia, Umunekeke all in Imo State. Nanka - Agulu, Abacha, Egbema Ozubulu, Ifite-Dunu, Abba,

Ogbaru and Obosi in Anambra State to forestall further loss of lives and properties in these severely endangered Communities. We also urge that more concrete measures be taken in the following erosion sites before the next rainy season, namely: Nnamdi Azikiwe University Teaching Hospital (NAUTH) site, Abia State University, Uturu site, Okwuohia, Okwelle, Arochukwu, Ikem, Obollo-Affor.

- (ii) Urge the Federal Roads Maintenance Agency (FERMA) and the Federal Ministry of Works to move into the Enugu - Port Harcourt Expressway at the Enugu end, Aba - Owerri Road (Otamiri Junction), Nekede - Imagwa - FUTU Road, Enugu - Nsukka Road, Ahaba - Okigwe Road and Nkpor - Obosi By-pass and restore the roads to normalcy;
- (iii) Direct its Committee on Environment and Ecology to undertake a tour of the South-East to evaluate the level of degradation for the purposes of accommodating such needs in the 2008 Appropriation Act;
- (iv) Urge the Ministry of Environment, Housing and Urban Development to commence, as a matter of urgency, a collation and compilation of data on the various erosion sites across the country and to present this Senate with a master plan of action for resolving the erosion menace;
- (v) Urge the National Emergency Management Agency (NEMA) to visit victims of the erosion menace in the South-East with a view to alleviating their sufferings;
- (vi) Direct its relevant Committees to come up with a proposal on strict disbursement and application of Ecological Funds to guarantee that the monies are used for fighting Nigeria's growing ecological problems (*Senator Chris N. D. Anyanwu*).

Debate:

Prayer (i):

Question:

That the Senate do urge the Federal Ministries of Environment, Housing and Urban Development and Works in conjunction with the Ecological Fund Office to undertake without delay, assessment visits with a view to taking immediate intervention measures to arrest the dangerously rampaging erosion landslide in the following communities: Oparanadim, Obohia, Eziudo, Amumara, Amakohia, Umunekeke all in Imo State. Nanka - Agulu, Abacha, Egbema Ozubulu, Ifite-Dunu, Abba, Ogbaru and Obosi in Anambra State to forestall further loss of lives and properties in these severely endangered Communities. We also urge that more concrete measures be taken in the following erosion sites before the next rainy season, namely: Nnamdi Azikiwe University Teaching Hospital (NAUTH) site, Abia State University, Uturu site, Okwuohia, Okwelle, Arochukwu, Ikem, Obollo-Affor.

Amendment Proposed:

Leave out all the words immediately after the word "the" in line 4, and *insert* the following instead thereof: "South-East in particular and the nation in general" (*Senator Bala A. Mohammed*).

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

Question on main prayer as amended, put and agreed to.

Prayer (ii):

Question:

That the Senate do urge the Federal Roads Maintenance Agency (FERMA) and the Federal Ministry of Works to move into the Enugu - Port Harcourt Expressway at the Enugu end, Aba - Owerri Road (Otamiri Junction), Nekede - Imagwa - FUTU Road, Enugu - Nsukka Road, Ahaba - Okigwe Road and Nkpor - Obosi By-pass and restore the roads to normalcy;

Amendment Proposed:

Leave out all the words immediately after the words "into the" in line 2, and *insert* the following instead thereof:

"Roads in the South-East in particular and the country in general" (*Senator Bukar-A. Ibrahim*).

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

Question on main prayer as amended, put and agreed to.

Prayer (iii):

Question:

That the Senate do direct its Committee on Environment and Ecology to undertake a tour of the South-East to evaluate the level of degradation for the purposes of accommodating such needs in the 2008 Appropriation Act — *Negatived.*

Prayer (iv):

Question:

That the Senate do urge the Ministry of Environment, Housing and Urban Development to commence, as a matter of urgency, a collation and compilation of data on the various erosion sites across the country and to present this Senate with a master plan of action for resolving the erosion menace — *Negatived.*

Prayer(v):

Question:

That the Senate do urge the National Emergency Management Agency (NEMA) to visit victims of the erosion menace in the South-East with a view to alleviating their sufferings — *Negatived.*

Prayer(vi):

Question:

That the Senate do direct its relevant Committees to come up with a proposal on strict disbursement and application of Ecological Funds to guarantee that the monies are used for fighting Nigeria's growing ecological problems — *Agreed to.*

Resolved:

- (i) That the Senate do urge the Federal Ministries of Environment, Housing and Urban Development and Works in conjunction with the Ecological Fund Office to undertake without delay, assessment visits with a view to taking immediate intervention measures to arrest the dangerously rampaging erosion landslide in the South-East in particular and the nation in general;
- (ii) That the Senate do urge the Federal Roads Maintenance Agency (FERMA) and the Federal Ministry of Works to move into the roads in the South-East in particular and the country in general; and
- (iii) That the Senate do direct its relevant Committees to come up with a proposal on strict disbursement and application of Ecological Funds to guarantee that the monies are used for fighting Nigeria's growing ecological problems (*S. Res/027/07*).

5. The Proposed Strike by Aviation Workers for Non-Payment of the Entitlements of the Nigerian Airways Ex-Workers:

Motion made and Question Proposed: That the Senate notes that the three Aviation Industry Workers Unions under the Aegis of Aviation Unions Grand Alliance (AUGA) had given the Federal Government one week's notice from 15th October, 2007 to go on strike with effect from Sunday, 21st October, 2007 if the terminal entitlements of staff of the liquidated Nigerian Airways which has been pending since its liquidation on 21st May, 2003 were not paid;

Notes that the Unions had on Thursday, 18th October, 2007, suspended the notice to go on strike based on an agreement signed between them and the Federal Government.

Observes that the Unions later decided to commence the strike action after one (1) month from Thursday, 18th October, 2007 if the Government fails to finish the process of the payment. The one (1) month notice expires on Sunday, 18th November, 2007;

Observes further that the decision to proceed on strike was necessitated by the plight of former employees of Nigerian Airways in liquidation who are dying gradually from penury;

Notes that it is on record that about 400 out of these employees have already died because of lack of funds to sustain themselves; Alhaji Dalhatu from Kano and S.O. Sani from Enugu died on Friday, 12th October, 2007;

Recalls that at the kind intervention of the Senate Committee on Aviation in August 2005, it was clearly established that the workers of Nigerian Airways are indeed Public Servants and that their entitlements are guaranteed by the Constitution of the Federal Republic of Nigeria vide S. 173 (1) and (2) and Pension Reform Act 2004;

Recalls that an Inter-ministerial Committee on the payment of the terminal benefits of the workers and pensioners was set up by the Senate Committee on Aviation on 22nd August, 2005;

Recalls that the Committee started sitting on the 8th of September, 2005 and finished its work since 30th October, 2006 and the report of the Committee is now the final documents containing the computation of the benefits of the workers as well as pensions;

Recalls that subsequently the former Honourable Minister of State (Air Transport) Chief Fani Kayode made the summary of the report to the former President, Chief Olusegun Obasanjo for approval of the payments which the former President graciously approved;

Notes that based on that approval the former Honourable Minister of Transportation, Chief Cornelius Adebayo made a Memo to the Federal Executive Council for the ratification of the former President's approval which the same former President stood down at the Federal Executive Council meeting of 9th May, 2007;

Observes that it is evident that the ex-workers of the Nigerian Airways did serve the country and, therefore, truly deserve their entitlements. And the decision to liquidate Nigerian Airways was evidently an Executive act which was not that of the workers;

Notes that the explanation of Government for paying the London-based Nigerian Airways workers was that it was in obedience to the laws of the United Kingdom and the same Government should consider the Laws of Nigeria worthy of compliance by paying the workers;

Recalls that the liquidation of Nigerian Airways was concluded by Bureau of Public Enterprise (B.P.E)-appointed liquidator, Mr. Barbington Ashaye who sold all assets of Nigerian Airways both at home and abroad but failed to use the proceeds from the sales to settle workers entitlements as envisioned by the Government; and

Notes that other corporate assets of the Nigerian Airways in liquidation such as Sky Power Aviation Handling Company Ltd (SAHCOL) and Bilateral Air Services Agreement (BASA) account said to be about \$6 Million were transferred to Government without settling the workers from their economic and cash values;

Accordingly requests:

That the Senate do:

- (i) sympathize with the Aviation Unions for the hardships caused by the long delay in settling their entitlements;
- (ii) urge the Unions in appreciation of the sensitivity and security implications of their services to the Nation, not to resort to strike action now that the Federal Government is making serious efforts to resolve the problem;
- (iii) urge the Government of the Federal Republic of Nigeria to take advantage of the period between now and the new date for the commencement of the strike action to quicken its plans for the payment of the ex-workers entitlements in order to avoid grounding of the Aviation Industry;
- (iv) urge the Government to find money for the settlement of the ex-workers entitlements from the different sources including the economic and cash values accruing to SAHCOL, and in BASA accounts;
- (v) urge the Government to transfer the BASA account which is meant for the development of Aviation Industry generally to Nigerian Civil Aviation Authority (NCAA) the Regulator of Aviation Industry in accordance with the new Civil Aviation Act, 2006. This will enable the Regulator to implement with immediate effect the payment of the entitlements of the ex-workers of Nigerian Airways as well as address the infrastructural and human capital requirements and the development of the Aviation Industry (*Senator Anyim Chukwu Ude*).

Debate:

Prayer (i)

Question:

That the Senate do sympathize with the Aviation Unions for the hardships caused by the long delay in settling their entitlements — *Agreed to.*

Prayer (ii)

Question:

That the Senate do urge the Unions in appreciation of the sensitivity and security implications of their services to the Nation, not to resort to strike action now that the Federal Government is making serious efforts to resolve the problem — *Agreed to.*

Prayer (iii)

Question:

That the Senate do urge the Government of the Federal Republic of Nigeria to take advantage of the period between now and the new date for the commencement of the strike action to quicken its plans for the payment of the ex-workers entitlements in order to avoid grounding of the Aviation Industry — *Agreed to.*

Prayer (iv)

Question:

That the Senate do urge the Government to find money for the settlement of the ex-workers entitlements from the different sources including the economic and cash values accruing to SAHCOL, and in BASA accounts — *Negated.*

Prayer (v)

Question:

That the Senate do urge the Government to transfer the BASA account which is meant for the development of Aviation Industry generally to Nigerian Civil Aviation Authority (NCAA) the Regulator of Aviation Industry in accordance with the new Civil Aviation Act, 2006. This will enable the Regulator to implement with immediate effect the payment of the entitlements of the ex-workers of Nigerian Airways as well as address the infrastructural and human capital requirements and the development of the Aviation Industry — *Negated.*

Resolved:

- (i) That the Senate do sympathize with the Aviation Unions for the hardships caused by the long delay in settling their entitlements;
- (ii) That the Senate do urge the Unions in appreciation of the sensitivity and security implications of their services to the Nation, not to resort to strike action now that the Federal Government is making serious efforts to resolve the problem;
- (iii) That the Senate do urge the Government of the Federal Republic of Nigeria to take advantage of the period between now and the new date for the commencement of the strike action to quicken its plans for the payment of the ex-workers entitlements in order to avoid grounding of the Aviation Industry (*S. Res/028/07*).

6. **Committee on Ethics, Code of Conduct and Public Petitions:**

Report on the Alleged ₦400m Renovation Contract for the Residence of the President of the Senate and the Alleged smuggling of ₦2.5 Billion into the Supplementary Appropriation Bill by the Senate President:

Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee on Ethics, Code of Conduct and Public Petition, on the Alleged ₦400m Renovation Contract for the Residence of the President of the Senate and the alleged smuggling of ₦2.5 Billion into the Supplementary Appropriation Bill by the Senate President and approve the recommendation(s) (*Senator Omar A. Hambagda*).

Consideration of Report deferred to the next legislative day.

7. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Wednesday, 24th October, 2007 at 10:00 a. m. (*Deputy Senate Majority Leader*).

Adjourned accordingly at 12:55 p.m.

David A. B. Mark
President of the Senate