



**SENATE OF THE
FEDERAL REPUBLIC OF NIGERIA
ORDER PAPER**

Tuesday, 25th April, 2017

- 1. Prayers**
 - 2. Approval of the Votes and Proceedings**
 - 3. Oaths**
 - 4. Announcements (if any)**
 - 5. Petitions**
-

PRESENTATION OF BILLS

1. Police Act CAP P19 LFN 2004 (Amendment) Bill, 2017 (SB. 453) - *First Reading*
Sen. Oluremi Tinubu (*Lagos Central*).
 2. National Gallery of Arts Act CAP N41 LFN 2004 (Repeal and Re-Enactment) Bill, 2017 (SB. 458) - *First Reading*
Sen. Matthew Uroghide (*Edo South*).
 3. National Tea and Coffee Development Council (Establishment, etc.) Bill, 2017 (SB. 462) - *First Reading*
Sen. Yusuf Abubakar (*Taraba Central*).
 4. Federal Polytechnic Ogbomosho (Establishment, etc.) Bill, 2017 (SB. 467) - *First Reading*
Sen. Abdulfatai Buhari (*Oyo North*).
 5. Stamp Duties Act (Amendment) Bill, 2017 (SB. 470) - *First Reading*
Sen. Hope Uzodinma (*Imo West*).
-

PRESENTATION OF REPORTS

1. Report of the Committee on Works
National Road Funds (Est, etc) Bill, 2017 (SB. 218)
Sen. Kabiru Gaya (*Kano South*)
-That the Senate do receive the report of the Committee on Works on the National Road Funds (Est, etc) Bill, 2017 (SB. 218) -*To be Laid*.
2. Report of the Committee on Works
Federal Roads Maintenance Agency (Repeal & Re-enactment) Bill, 2017 (SB. 219)
Sen. Kabiru Gaya (*Kano South*)
-That the Senate do receive the report of the Committee on Works on the Federal Roads Authority Bill, 2017 (SB. 219) - *To be laid*.

ORDERS OF THE DAY

MOTIONS

1. Urgent need to regularize the agreement between the Federal Republic of Nigeria and the government of the United Kingdom on the Transfer of Sentenced Persons.

Sen. Ike Ekweremadu (*Enugu West*)

The Senate:

Notes that the Government of the Federal Republic of Nigeria and the Government of the United Kingdom entered into an agreement on the 9th of January 2014 for the transfer of sentenced persons in both countries;

Further notes that the agreement was made by both countries and authorized by their respective Governments; for the Federal Republic of Nigeria, Mohammed Bello Adoke, the Attorney General of the Federation and Minister of Justice, signed on behalf of Nigeria while the United Kingdom was signed by, Jeremy Wright, the United Kingdom Minister of Justice;

Aware that based on this agreement, the Government of the United Kingdom has commenced the return of several prisoners to Nigeria, and has currently initiated the application for the transfer of more prisoners to Nigeria;

Further aware that the United Kingdom Government has referred to this agreement as compulsory, whereas the content of the agreement made no mention, nor indicated that the agreement was compulsory;

Cognizance that international law is based on cooperation of states, as such the rule of international law implies that where parties have contracted a cooperation agreement, they are expected to do all that is necessary to ensure a successful implementation of the agreement by following the essential internal constitutional and legal procedures required;

Further cognizance that the provisions of section 12(1) of the constitution of the federal republic of Nigeria provides that no treaty between the Federation and any other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly, while Article 16(1) of the agreement provides that each of the Parties shall notify the other upon completion of their respective internal constitutional and legal procedures required to allow this Agreement to enter into force;

Disturbed that the provisions of the Constitution regarding section 12(1) has not been complied with; the agreement in this instance signed by the then Attorney General of the Federation was not subjected to legislative scrutiny or enactment by the National Assembly; the agreement is therefore, not in force;

Further disturbed that the British National Offender Management Service may be under a misinformed impression that all the internal procedures have been completed warranting the entry into force of the agreement on 29th September 2014;

Worried that certain provisions of the agreement have been deemed to be in breach of the fundamental human rights as enshrined in the Constitution of the Federal Republic of Nigeria;

Further worried that Article 2 (3) of the Agreement provides for the transfer of the Sentenced Persons with or without consent; it can be noted, that this Agreement differs from many other similar Agreements, for instance in the scheme for the transfer of convicted Offenders within the Commonwealth, domesticated and codified in the LFN 2004, Section 4 (1)(d) clearly states that the transfer must be consented to by the Convicted Offender or where in view of his age or his mental or physical condition, one of the two Countries considers it necessary, consented to by a Person entitled to act on behalf of the convicted offender. It is imperative to note that both Nigeria and the UK are members of the commonwealth. Although the Scheme was amended in 2013 by this National Assembly removing the requirement of consent, it did not vitiate the requirement under Section 12 of the 1999 Constitution;

Concerned that the Agreement which is in clear breach of the provisions of Section 12(1) of the Constitution, does not also conform to the provisions of Section 19(a) of the Constitution which provides that the foreign policy objectives shall be “promotion and protection of the national interest”;

Regrets that the issue of consent of the prisoner is akin to the fundamental human rights as provided by the Constitution, therefore where a prisoner’s right to consent is taken away, as is the nature of this Agreement, the Agreement is said to have violated the basic tenets of the Fundamental human rights,

Accordingly resolves to:

- i. *Direct* the Senate Committees on Judiciary and Foreign Affairs to invite the Attorney General of the Federation, Minister of Justice and the Minister of Foreign Affairs to shed light on issue of Transfer of Sentenced Persons with regard to the Agreement entered into between Nigeria and the United Kingdom on the Subject Matter, and report back to the Senate within one month for further legislative action;
- ii. *Direct* the Senate Committee on Judiciary and Human Rights to invite the Comptroller General of Prisons to brief the Committee on his level of involvement in complying with the Agreement on the Transfer of Sentenced Prisoners between Nigeria and United Kingdom and report back to the Senate within one month to enable the Senate determine further course of action; and
- iii. *Direct* the Senate Committee on Judiciary and Human Rights to invite the Attorney General to give an update on the status of ratification of all treaties from 1999 to 2017 and report back to the Senate within one month for further legislative action.

2. The urgent need to provide Pedestrian Bridges on Federal Highways.

Sponsor: Senator Oluremi Tinubu (*Lagos Central*)

The Senate:

Notes the absence of pedestrian bridges on major Federal Roads across the Country;

Saddened that deaths are constantly being recorded as a result of Pedestrians crossing Federal Express Roads and Highways;

Disturbed to see citizens/pedestrians running across busy roads and thus, putting their lives at risk;

Further saddened that it is not unusual to see young children crossing major roads on their way to and from school;

Notes that children from indigent families are at a higher risk as they are more likely to use public transport and thus, may be required to cross roads;

Observes that there are several busy roads that ought to but do not have pedestrian bridges. These include but are not limited to:

- a. Madalla Junction on Zuba road in the FCT;
- b. Okigwe Junction on the Enugu - Umuahia Express way;
- c. Ariaria Junction leading to the very busy Ariaria international market, on the Enugu – Port-Harcourt Road;
- d. Command Day School, Abuja Junction on Kubwa – A.Y.A Highway;
- e. Iyana-Ipaja Bus stop in Lagos State; and
- f. Dopemu Bus Stop in Lagos State.

Further Observes that the existent bridges are misplaced, thus defeating their purpose;

Further notes that existing pedestrian bridges are most often occupied by beggars and petty traders, thus, restricting the flow of human traffic;

Observes that many of these bridges are not roofed to protect against adverse weather conditions;

Further Observes that many of these bridges are also poorly lit, with the effect that pedestrians avoid them at night as they have become a hideout for hoodlums and thieves;

Informed that ensuring safety of lives is a fundamental duty of the government,

Accordingly resolves to:

- i. *Urge* the law enforcement agencies to enforce the use of pedestrian bridges;
- ii. *Urge* Government at all levels to provide foot bridges and pedestrian bridges over large express roads and at major bus stops;
- iii. *Direct* relevant law enforcement agencies to rid pedestrian bridges of beggars and petty traders, to allow for free movement of persons;
- iv. *Urge* the Government to ensure that roads and pedestrian bridges are lit up to prevent proliferation of crimes in those areas; and
- v. *Urge* that Security agencies such as the Civil defence Corps be stationed at these Pedestrian bridges.

3. Urgent need for the Construction/Rehabilitation of Rural Roads across the Country.

Senator Stella Oduah (*Anambra North*)

The Senate:

Notes that the rural areas serve as the base for the production of food, the major sources of capital formation for the country and a principal market for domestic manufacturers;

Further notes that a significant proportion of Nigerian population lives in the rural areas and requires various forms of transport to facilitate socio-political interaction and that rural areas are indispensable in the supply of food and raw materials to urban centers and these primary activities form the foundation for any economic development;

Observes that the poor condition of most rural roads in Nigeria and indeed other states of the Federation is having serious negative effects on agricultural activities, which is the major source of income of rural residents, thereby increasing the poverty rate;

Further observes that efficient and effective rural transportation serves as one of the channels for the collection and exchange of goods and services, movement of people, dissemination of information and the promotion of rural economy;

Worried that during rainy season most rural roads become impassable and this imposes significant cost on the national economy and poses a threat to sustainability of rural socio-economic development;

Concerns that motorized transportation cost in rural areas becomes very high during rainy season as public transport operators hike up their fares because of the increased vehicle running cost often occasioned by adverse weather condition;

Aware that the construction and maintenance of rural roads falls within the immediate responsibility of States and Local Governments, but the importance of transport facilities in rural areas requires special intervention of the Federal Government;

Acknowledges that the Federal Government has embarked on various programmes at one time or the other to ensure the provision of adequate transport facilities to meet the needs of the rural population, but these programs have not been able to produce the desired results;

Further acknowledges that the achievement of food security and the eradication of hunger and poverty cannot be isolated from the sustainability of rural development as strong correlation exists between poor rural roads and poverty,

Accordingly resolves to:

- i. *Urge* the Federal Government through the Federal Ministries of Works, Agriculture and Rural Development to construct and rehabilitate rural roads in Anambra State and other states of the Federation;
- ii. *Urge* the Federal Road Maintenance Agency (FERMA) to as a matter of special intervention policy rehabilitate and maintain rural roads in Anambra state and other states of the Federation; and
- iii. *Mandate* the Committees on Works, Agriculture and Rural Development to ensure full compliance with prayers (i) and (ii) above.

4. The Need to set up an Inter-regional Agency to Monitor Migration.

Sponsor: Sen. Shehu Sani (*Kaduna Central*)

The Senate:

Notes the definition of a migrant under the United Nations International Organization for Migration as 'any person who is moving or has moved across an international border or within a state away from his/her habitual place of residence, regardless of the person's legal status, whether movement was voluntary or involuntary, what the causes of the movement are and the length of stay;

Notes also the negative trends towards migration by Nigerians through illegal routes and the Mediterranean Sea which has resulted in colossal loss of lives;

Aware that Nigerians who embark on illegal migration find their route through Chad, Libya, Mali, Morocco and Algeria;

Worried that the International Organization for Migration's report for 2016 revealed that more than 5,070 people were estimated to have lost their lives on migratory routes around the world and the Mediterranean alone witnessed a record of 3,870 out of which 2000 of casualties were from the central Mediterranean route used by the west and north African countries and Nigeria alone had more than 1000 of the central Mediterranean casualties;

More Worried that because of the involvement of many Nigerians in illegal migration, the International Organization for Migration made Nigeria and Iraq a case study in one of their researches, the result of which was mind-boggling and in addition to the tragic loss of life, a substantial number of victims are not recovered and even those recovered are buried with at best a number, not a name and it is important to emphasize here that each unidentified migrant represents a missing person for a family who live in perpetual grief without certainty of the where-about of their loved ones;

Determined to reverse this negative trend and the hardship suffered by Nigerian migrants in the hands of Immigration officials in neighboring countries,

Accordingly resolves to:

- i. *Urge* the Federal Government to set up an inter-agency on irregular migration;
- ii. *Urge* the Nigeria Immigration Service and the National Agency for the Prohibition of Traffic in Persons to ensure more presence in all the border towns to check illegal migration routes;

- iii. Urge the Federal government to liaise with the governments of Mali, Morocco, Libya and Algeria to set up an inter-regional agency to curb the menace and the brutal treatment of Nigerian migrants in these countries; and
- iv. Urge the Federal Government to map out a comprehensive border management system.

5. Cancer Treatment Infrastructure Crisis.

Senator Duro Faseyi (*Ekiti North*)

The Senate:

Notes with serious concern the collapse of cancer treatment infrastructure and other support services in the designated cancer management health centres which was further confirmed by experts during the recent event commemorating Cancer Day in Nigeria;

Aware that out of the seven cancer designated hospitals in the country, cancer treatment equipment are not functioning in four of them namely: Lagos University Teaching Hospital (LUTH), Idi-Araba, Lagos; University College Hospital, UCH, Ibadan; University of Nigeria Teaching Hospital, Nsukka (UNTH), Enugu and University of Benin Teaching Hospital, UBTH, Benin City;

Further aware that the National Hospital, Abuja, Usman Dan - Fodio University Teaching Hospital, Sokoto and Eko Hospital, Lagos, which are the only three currently functional health centres for the treatment of cancer, are not running optimally, even as they are under pressure by patients who travel long distances to these centres in order to be placed on the long queues for treatment;

Worried that the collapse of cancer treatment infrastructure in most of the designated hospitals has denied well over 80 percent of the Patients access to radiotherapy and chemotherapy as basic means of cancer treatment;

Aware that due to the prevailing situation, there is an alarming death ratio of 4 out of every 5 cancer patient and out of an estimated 100, 000 new cases diagnosed annually, at least, 80, 000 patients die, representing 240 deaths on daily basis and 10 deaths every hour;

Further aware that because of the dismal state of cancer treatment machines in Nigeria, many patients are compelled to travel outside the country in search of better health services at high cost, invariably constituting a huge drain on our foreign exchange reserve, which is inimical to the economy;

Observes and as affirmed by the World Health Organization (WHO) that cancer is one of the leading causes of death in Nigeria and that over 2 million Nigerians have some form of invasive cancer;

Further observes that, the last time cancer treatment machines were procured by the Federal Government for the designated health Centres was 8 years ago and more so, the machines were almost obsolete at the time of procurement;

Further worried that, if urgent and radical steps are not taken by Government to confront this situation, Nigeria faces a huge risk of recording many cancer induced deaths; this has adverse implications on the social and economic life of the country,

Accordingly resolves to:

- I. *Condemn* in the strongest terms the deplorable state of cancer treatment arising from the collapse of cancer treatment infrastructure in the designated hospitals;
- II. *Mandate* the Senate Committee on Health to invite the Permanent Secretary of the Federal Ministry of Health and the Heads of the seven designated health centres for the treatment of cancer, for explanations and clarifications as a measure towards grappling with this challenge;
- III. *Urge* the executive to declare a state of emergency in the management of cancer cases, as well as embark on prompt repair of the collapsed equipment while also taking urgent steps to procure

modern machines (at least two in each of the designated health centres) and re-training the relevant personnel; and

- IV. *Urge* the executive to establish integrated and comprehensive cancer treatment centres in each state of the Federation and the Federal Capital Territory (FCT) equipped with the latest cancer treatment technology for enhanced value and cost-effectiveness.

COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
-----	-----------	------	------	-------