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**SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA**

Wednesday, 4th May, 2016

The Senate met at 10.51 a.m.

PRAYERS

(The President in the Chair)

VOTES AND PROCEEDINGS

The President: Distinguished Senators, we have the Votes and Proceedings of Tuesday, 3rd May, 2016 before us for approval. We will start consideration from page 699 to 701.

Senator Tijjani Yahaya Kaura (Zamfara North): Mr. President, I move that the Votes and Proceedings of Tuesday, 3rd May, 2016 be approved.

Senator Ovie Augustine Omo-Agege (Delta Central): Mr. President, I second the Motion that the Votes and Proceedings of Tuesday, 3rd May, 2016 be approved.

Question put and agreed to.

Resolved: The Votes and Proceedings of Tuesday, 3rd May, 2016 be approved.

ANNOUNCEMENTS

Visitors in the Gallery

The President: I wish to acknowledge the presence of Members of the Students' Union Government, Bayero University Kano, Kano State; Staff and Students of the World of Faith Group of Schools, Area 1, Garki, Abuja; Staff and Students of Sunrise International School, Asokoro, Abuja who are all in the Gallery to observe the Senate Proceedings.

(Visitors stood for recognition.)

I wish you fruitful observations of the Senate Proceedings. Please sit down.

Payment for Hajj Seats

Distinguished Senators,

**Re: Payment for Hajj Seats Provided for Members of
the Senate**

Reference to our earlier notice on the above subject matter dated 26th April, 2016 submitted to all Senators' office.

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The Senate Committee on Foreign Affairs hereby remind distinguished Senators that the collection of request for payment of Hajj Seats is still on-going and time bound. Interested Senators should please forward their requests as the allocation of the seats will commence very soon.

Distinguished Senators are accordingly advised to submit their request on or before the 16th May, 2016, indicating the number of seats they want to sponsor and the States they prefer the seats to be routed to.

Further enquiry, please contact telephone number 08033119969 or Room 41, 4th Floor, White House, Senate Wing, National Assembly Complex.

(Signed)

Senator Monsurat Sunmonu
Chairman Committee on Foreign Affairs

The Senate President,
Senate of the Federal Republic of Nigeria,
National Assembly,
Abuja.

**Re: Death of Senator Danladi Bamaïyi (Kebbi South:
1999 – 2003)**

This is to sadly announce the death of Distinguished Senator Danladi Bamaïyi who represented Kebbi South from 1999 – 2003.

The Distinguished Senator who was a renowned philanthropist died on Saturday 30th April, 2016 at the National Hospital after a brief illness.

During his period as Senator, he was the Chairman Senate Committee on Works and verification of Foreign Loans. He was a grassroots politician and very hardworking.

His death is a great loss to the good people of Zuru Emirate, Kebbi State and Nigeria in general. He would be buried in his home town in Zuru on Saturday, 7th May, 2016. He is survived by his wife - Mrs. Anna Bamaïyi and three Children.

(Signed)

Senator Bala Ibn Na'allah
Deputy Senate Leader

Composition of Condolence Team

I want to announce the condolence team, going to condole with the family of Senator Danladi Bamaïyi, on behalf of the Senate.

1. Senator James Manager

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2. Senator Ogembe
3. Senator Duro Fasheyi
4. Senator Alieru
5. Senator George Akume

PERSONAL EXPLANATION

Death of a Non-serving Senator Danladi Bamaïyi (Kebbi South)

Senator Bala Ibn Na'allah (Kebbi South): Point of Order, Mr. President. I will like to proceed on Order 43 of our Rules.

The President: Senator Bala Ibn Na'allah, go ahead and read.

Senator Bala Ibn Na'allah (Kebbi South): Order 43 reads:

By the indulgence of the Senate and the leave of the President of the Senate, a Senator may make a Personal Explanation although there be no question before the Senate; but no controversial matter may be brought forward nor may debate arise upon the Explanation.

The terms of the proposed statement shall be submitted in detail to the President of the Senate when his leave to make it is sought'

Mr. President, you have just read a letter that sadly brought to the notice of this Senate, the death of one of our own, distinguished Senator Danladi Bamaïyi. I have chosen to go through the procedure of writing the Senate in view of the fact that I will be personally here to offer one or two things about distinguished Senator Danladi Bamaïyi.

I have had the privilege of being a Pupil Counsel shortly after my graduation as a law graduate to practise in his Chamber and since then, I maintained a very good and cordial relationship with him.

He served this distinguished Chamber from 1999-2003. As you have rightly stated, he was the former Chairman, Senate Committee on Works and verification of Foreign Loans.

He will be buried on Saturday and I am urging my Colleagues, as a mark of respect, to observe a one minute silence in his favour and urging the distinguished Senate President to look into the possibility of sending a delegation to Zuru to condole the family of the deceased.

The President: Distinguished Colleagues, on behalf of the Senate, we all pass our condolence to the family of Senator Danladi Bamaïyi who was a Senator from 1999 – 2003 and Chairman of the Senate Committee on Works.

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He played his own role in the development of Zuru, Kebbi State and Nigeria in general. He will be greatly missed and we will convey our condolence to his family and the people of Kebbi State.

The Deputy Senate Leader requested for a minute silence in honour of the late Senator. I will put a question.

Question put and agreed to.

A minute silence was observed in honour of late Senator Danladi Bamaïyi.

Senator Abdullahi Adamu (Nasarawa West): Point of Order?

The President: What is your Point of Order, Senator Abdullahi Adamu?

Senator Abdullahi Adamu: Mr. President, I come under Order 43.

The President: Please read.

Senator Abdullahi Adamu: Mr. President, Order 43 reads:

By the indulgence of the Senate and the leave of the President of the Senate, a Senator may make a Personal Explanation although there be no question before the Senate; but no controversial matter may be brought forward nor may debate arise upon the Explanation.

The terms of the proposed statement shall be submitted in detail to the President of the Senate when his leave to make it is sought'.

Mr. President, you may recall that the Senate of the Federal Republic of Nigeria at its Plenary on Thursday, 3rd March, 2016 deliberated on a Motion on: *Tackling the Torrential Conflict between the Farmers and the Cattle Herdsmen*. And they resolved among other things to mandate the Joint Senate Committee on Agriculture and Rural Development and National Security and Intelligence to conduct a Public Hearing on this matter with a view to articulating a lasting solution to the problem by the Senate Resolution S/RES/107/01/16.

This assignment is very unique and important, and it requires inputs from various stakeholders across the country. The Joint Senate Committee held series of meetings to decide the modalities to be adopted in carrying out this injustice assignment. Last week this hallowed Chamber did consider a concern on matter of Public Interest raised by a distinguished Member of the Senate and as a result of that, the attention of the Committee on Agriculture and Security was called.

We gave assurance that day that we would meet because by the time we had not received the logistic necessary for summoning the Public Hearing.

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Because of the movement and commitment with budget deliberations, we were not able to sit but immediately this alert was raised, we sat the following morning which was Wednesday; exactly a week today.

We agreed that the Public Hearing would be held on the 11th of May, 2016 but to my surprise, on Thursday while I was away in Ibadan to attend the Zero Hunger Meeting of Food Organisation in IITA Ibadan, I read in my cell Phone that this same Chamber did consider a Motion by a distinguished Member and agreed at the end of the discussion to have an Ad-Hoc Committee virtually to do the same thing that we are supposed to be doing in the Public Hearing.

I am happy though that the Ad-Hoc Committee has not yet met, it has not been inaugurated and I feel very strongly, your Excellency, that in the face of the referral by this same Chamber to the Committee and that reference is still subsisting, it would amount to duplication of efforts of this hallowed Chamber to entertain anything; unless there is total failure of what was the expectation of the Committee.

I therefore suggest that if the Terms of Reference of the Ad-Hoc Committee must be accommodated, I believe that the terms of reference of the Agriculture, Rural Development and the Security can be extended to include whatever or all that have been given to the Ad-Hoc Committee. I so submit your Excellency.

The President: All right, thank you Senator Abdullahi Adamu, you come under Rule 43 of our Rules which did not allow for a debate but you did not mention it to me.

What I would suggest is that you and also the Chairman of the Ad-Hoc Committee which happens to be the Leader, should both see me together after this session. I will look at these issues and report back to Plenary.

PRESENTATION OF BILLS

Senator Bala Ibn Na'allah: Mr. President, the first Business of the Day is the presentation of five Bills. You may wish to invite the Clerk of the Senate to read the short titles of the Bills.

Sexual Harassment in Tertiary Institutions Bill, 2016

Sexual Harassment in Tertiary Institutions Bill, 2016 (SB.262) – presented by Senator Ovie Omo-Agege (Delta Central); *read the First Time.*

Chartered Institute of Administration Act (Amendment) Bill, 2016

Chartered Institute of Administration Act (Amendment) Bill, 2016 (SB.263) – presented by Senator Joshua Dariye (Plateau Central); *read the First Time.*

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Payment Systems Management Bill, 2016

Payment Systems Management Bill, 2016 (SB.268) – presented by Senator John O. Enoh (Cross River Central); *read the First Time.*

Constitution (Alteration) Bill, 2016

Constitution (Alteration) Bill, 2016 (SB. 271) – presented by Senator Gbolahan Dada (Ogun West); *read the First Time.*

Federal University, Wukari (Est. etc.) Bill, 2016

Federal University, Wukari (Est. etc.) Bill, 2016 (SB.273) – presented by Senator Emmanuel Bwacha (Taraba South); *read the First Time.*

ORDER OF THE DAY

CONSIDERATION OF BILLS

Commercial Agricultural Credit Scheme Bill

A Bill for an Act to establish the Agricultural Credit Scheme to promote Commercial Agriculture in Nigeria, ensure Credit support for production, Storage and Processing of target Commodities, Market Development, Agricultural Enterprise and for other related matters, 2016 –

Order for Second Reading.

Senator Bala Ibn Na'allah: Mr. President, the first Order of the Day is the Second Reading of Commercial Agricultural Credit Scheme Establishment etc. Bill 2016 (SB.20). You will recall that the Bill was read the first time in this Chamber on Thursday, 8th October, 2015.

You may wish to invite Distinguished Senator Mao Ohuabunwa to move the Motion for the Bill to be read the Second Time.

Question proposed.

Senator A. Mao Ohuabunwa (Abia North): Mr. President, it is my pleasure to move this Bill for Second Reading and lead the debate on the Commercial Agriculture Credit Scheme Bill. I believe that this Bill would revolutionise agriculture and indeed help to diversify our economy.

Mr. President, I seek your permission to lead the debate on this Bill which promises to revolutionise the entire funding system and strategy by which as a Nation, we can address the issue of commercial agriculture and the need to increase our agricultural output.

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This Bill was read for the first time on the 8th of August, 2015 and its focus is on the strengthening of the funding of commercial agriculture, and the provisioning of the necessary legal bites to the efforts made in the past by various Administrations in collaboration with the Central Bank of Nigeria (CBN) in promoting and providing for funding of commercial agricultural ventures in the Nation.

While it is common information that Nigeria earns over 80 *per cent* of its revenue from petroleum resources, this sector, in fact, contributes less than 14 *per cent* of the Nation's Gross Domestic Product (GDP). It is also not too well acknowledged that agriculture contributes about 41.8 *per cent* of the Nation's GDP and generates about two-thirds of all employments nationwide and 90 *per cent* of Nigeria's food requirements. All these come from small-scale subsistence farmers who also constitute the Nation's poor.

Agriculture's yields from the small-scale farmers in the Nation remain poor, stagnant and make poverty in the Nation pervasive, especially, as little or no commercial funding is available to pursue commercial agricultural business, which alone can ensure the enhancement of food production, while enabling farmers at all levels to earn sustainable profits to support the national economy.

The benefit of a structured and functional commercial agricultural credit scheme that is also backed by an Act of Parliament is that it will provide predictability in the agricultural sector to:

1. Fast-track the development of the sector, engendering growth of large scale farming, which enables all farmers exploit the untapped potentials of the agric sector.
2. Enhance National Food Security, increase food supply and promote lower food inflation in the Nation.
3. Increase national food output, generate both high and low level employments, and help diversify the national resources, including raising higher level of foreign exchange earnings.

These benefits usually attracted the attention of every Administration in Nigeria to encourage commercial farming and commercial agricultural funding scheme, the most significant of such attempts being made by the past Administration in collaboration with the CBN.

This attempt produced the Agricultural Credit Scheme Fund (ACGSF), which raised ₦200 Billion through the issuance of FGN Bond to support commercial agriculture.

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This however ended in a loss of focus as the first tranche of that fund ₦100 Billion, was extended to accommodate not only intended commercial farmers, but also SMEs, some of them undefined. This only happened because the scheme was not backed by an Act of Parliament and its utilisation not predictable or structured along commodity lines.

As the Nation now diversifies the economy, there is a great need to advance the fortunes of commercial agriculture through the introduction of a reliable credit scheme, robust enough and backed by the force of law, which is what this Bill intends to do, and structured to accommodate the long gestation period of farming returns, and also a scheme that is implemented with a vision to reduce risks and inflationary trends associated with long term investments as commercial agriculture.

This Bill, when passed into law, will provide a system for overseeing the funds provided for the scheme, and will complement the special initiatives of the CBN (Central Bank of Nigeria) in providing concessional funding for the agricultural sector. The objectives of the Bill is to enhance for the Nation all the values that accrue from commercial agriculture through bridging the funding gap in commercial agribusinesses, which in Sub-Sahara Africa, where Nigerian farmers are key players, has been projected to grow beyond \$6.5 billion per annum as against the existing annual supply of \$1.5 billion.

This Bill, when passed into law, will provide for a robust agricultural Commercial Credit Scheme Fund of ₦500 billion to be raised by way of Bond by the Debt Management Office (DMO), in collaboration with the CBN. The Bill, unlike the past attempts, provides for the prudent management of fund to include carefully selected banks, in collaboration with the CBN, the Ministries of Agriculture and Water Resources, that will implement a competitive process of prudent selection across the Nation of those commercial farmers qualified to utilize the funds.

Also the Bill makes provision for a Project Management Committee that will regularly meet to review the operations of the commercial Agriculture Credit Scheme, so that it sticks to the course of commercial farming improvement. This scheme, unlike past attempts, has a focus that pre-selects the agricultural commodities to be financed along the lines of comparative advantages, and the eligibility of the credit beneficiaries. This eliminates unguided diversification, loss of focus and the politicisation of the implementation of the scheme.

Also while this Bill recognises the need to operate the Commercial Agriculture Credit Scheme as a long term funding source that matches the long gestation of commercial agricultural farming, it nevertheless introduces a purposeful driven condition for a mandatory use of the fund to include periodic inspection of farms and the cushioning of Farm Insurance to hedge against loss of farmer's investments.

It is my firm belief that this Bill to be cited as: *The Commercial Agricultural Credit Scheme Bill, 2015*, has provided the necessary legal and regulatory frameworks for achieving the successful implementation of commercial agricultural growth in Nigeria. When pursued with the provided prudence, the nation stands to reap a predictable rise in cash and food crop production, improve our food storage system and agro-allied processing chains. Above every other thing else, the Scheme will assist the Nation in the diversification of national income and reduction of extreme poverty in the Nation. I appeal to you to support the Second Reading of this Bill.

This Bill has no compendium of financial commitment because it is going to be monitored by the Central Bank and by the other commercial banks that will constitute the project management Committee. Only yesterday, we have passed the Second Reading of a Bill on Freedom from Hunger and Food Security, this definitely is the key and it is going to compliment that. It is my pleasure to lead this debate.

Senator Ibrahim Gobir (Sokoto East): Mr. President, I support this Bill in its entirety. Any Bill that has to do with the agriculture has to be supported because 98 *per cent* of our people are farmers and agriculture is the main stay in this country.

But there are certain areas we have to look at. First, I know that argic scheme is operated by most of the banks, with some banks as leading banks in this scheme and every year about ₦250 billion is being used. So, there is need for him to look at that area and then find out how he can incorporate this into the Bill.

The other area where there is a problem is the issue of interest rate; if you do not put the interest rate there, then there is going to be problem because any person taking argic loan at exorbitant rate, whether as a company or as an individual, he or she cannot be able to make it. Therefore, it is important to make sure that it is a single digit of about three (3) *per cent* so that people can be attracted to it, it is very important.

As I said initially, agriculture is the main stay and then also the main employer of labour. The teeming population we have, particularly the young ones that are unemployed today, if we can have this scheme incorporated, and we have this money disbursed, certainly, we will go a long way in helping those children. So, the issue of unemployment will be reduced to the barest minimum.

I urge my Colleagues to support this in its entirety so that we can have a speedy passage of this Bill.

Senator Ahmad Ibrahim Lawan (Yobe North): Mr. President, like Senator Gobir, I support this Bill. Agriculture is the surest way for us as a country to create employment and also generate wealth. We did it before in 50's, 60's and the 70's and our economy - even though not as big as it is today - was stable. Our societies and communities were not only productive but peaceful because people had something to do.

Therefore, when we want to encourage commercial agriculture perhaps with only between two to five *per cent* of Nigerians, we must never forget the fact that over 95 *per cent* of our farmers are peasant farmers and what we need to do is to ensure that we remember them. The last administration had some programmes, which include the plan by the Central Bank of Nigeria to disburse about ₦200 billion. The first tranche ended up in the pockets of people who were not farmers. Some funds went to the States and the States gave out such funds to political parties and stalwarts, the big commercial farmers around the Government Houses. We need to be very careful and if we have to go to the Central Bank with the channel we used before, we may end up suffering the same fate. We need to have safeguards to ensure that funds are given to those who are genuinely commercial farmers. Even in this Senate, distinguished Senators Abdullahi Adamu, Bukar Abba Ibrahim, Aliero, and Abu Ibrahim are commercial farmers. Perhaps, we have to define who is a commercial farmer. I also believe that giving people funds will not be enough because agriculture itself is a high risk venture.

Therefore, we need insurance because you can take money and the money may not deliver because of the vagaries of the weather and so on. Perhaps, we have to look at the Nigerian Agricultural Insurance Corporation (NAIC). I do not need to bore us with details but it is a shame that after so many agricultural revolution programmes, Nigeria still has only food reserves of 300 to 400 thousand metric tonnes, which we can finish maybe in two or three days, especially our poultry across the country may definitely not last a week. So, we need to do something but we should help our peasant farmers as well.

Senator Aliyu Magatakarda Wammako (Sokoto North): Mr. President, in lending my support to this Bill, let me equally commend the mover of this Bill, Senator Mao Ohuabunwa for this very timely, relevant and responsive Bill that is going to support the determination and efforts to diversify our economy because it goes down to support the government intention to address the issue of unemployment.

Having said that, let me refer to what Senator Ahmad Lawan had said. Of course, all previous attempts to commercialise agriculture in this country were more or less of political patronage both from the Central Bank of Nigeria and successive governments in this country. It seems that there is no time there were in place a mechanism to ensure compliance with idea for which the money was disbursed. I can recall about two years back where ₦2 billion was disbursed to each State of the federation to support this commercial agriculture. What the CBN did was to say from which banks it would be disbursed and we did not get any feedback whether the purpose was achieved or otherwise.

This Bill has to be a first major attempt in this country to seriously and genuinely work to support commercial farmers in this country. We have allowed farming to remain with peasant farmers who use their energy to farm. They have graduated to mechanise farming and this should be their first time like any other developed country.

By virtue of this Bill, it will be considered that farming has to be subsidised like any other part of the country where farming succeeds. Nigeria always talk about farming but there is no time in this country that farming was subsidised. Just a nearby African country like Tunisia, farming is subsidised by over 25 *per cent* and in Pakistan, it is subsidised by 40 *per cent* and 20 *per cent* for bridging for drought and floods in event it happens. Already in the market are products to be bought, processed and used as it should be. I therefore, support this Bill in its entirety and pray that the Executive arm of this government will use this opportunity to implement its vision for diversifying the economy, its mission about employment to teeming youths and equally fight of poverty.

Senator Emmanuel Bwacha (Taraba South): Mr. President, I am very happy with this Bill and I want to commend Senator Mao Oluabunwa that this Bill is coming at a time that it will be encouraged. If as a Parliament, we act well and pass this Bill, we trust God that the right thing will be done. Successive governments in the country have placed priority in promoting agriculture but it has always been the song in the lips of most of our Leaders. The challenge we have had over the years is to have a very strong commitment or what a very popular lexicon will call the political will to implement these decisions whether by law or by policy will.

I cannot agree less with earlier speakers that the challenge we have with this scheme, that is Agricultural Commercial Credit Scheme, is how it has been hijacked by absentee farmers. What I mean here by absentee farmers are people who will take this money and go and invest it in a different venture taking advantage of the single digit rate that is being offered by the government; this is one area that we must address very seriously.

I must also commend even the past government on the partnership that existed between the CBN and Commercial Banks on coming up with the concept of the risk sharing factor between borrowers and lenders that both should share the consequences that may arise as a result of natural disaster or what have you. If this is improved upon, it is going to encourage a lot of farmers to go into real farming which has been preached by most leaders and yet pay little attention except lip service. We are trusting God that there is going to be radical departure from this.

I am so happy, and I must add my excitement when I saw on television the Governor of the Central Bank speaking very passionately about agriculture. So this must be carried along even through the Commercial Banks, which sometimes may tend to frustrate the facilities that are meant to promote agricultural productivity. This Bill is very important and good for our country, especially where all eyes are fixed on the oil sector.

I trust Mr. President and my Colleagues will give this Bill the needed support and during the Public Hearing, some of these grey areas would be addressed and then probably the needed input will be made available.

Senator Ike Ekweremadu (Enugu West): Mr. President, let me say from the onset that I support this Bill. Anything that we need to do to encourage agriculture in Nigeria is most welcome, more especially now that we have a dwindling economy that we believe an emphasis on agriculture will help to boost.

I would like to refer this Senate to a Bill which is still pending before the Committee on Agriculture that is similar to this. The essence of this reference is for the Committee on Agriculture to take note so that if this Bill passes the Second Reading and it is sent to the Committee on Agriculture, they need to find a way of consolidating the two Bills.

On the 6th of October, 2015, we considered a Bill - Agricultural Credit Guarantee Fund Act, 2015 sponsored by Senator Andy Uba. This same Bill came up for Second Reading on Wednesday the 13th January, 2016 and was referred to the Committee on Agriculture. I am aware that there will be a Public Hearing on this particular Bill on the 18th of this month. I believe that we must be conscious of this and find a way of consolidating the two Bills.

Having made this remark, let me also say that the problem with agricultural credit in Nigeria has been the problem of ensuring that people pay back some of these loans. In the past, we have had several credit schemes most of which the moneys were never recovered. It has to do with the character of our people, we are quick to take loans but we find it difficult to repay.

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My foundation used to support the Women Farmers in my Senatorial District. We started with the credit scheme of giving some moneys to women so that they will plant with it and pay back so that others will benefit. Over time, we discovered that the hardest part is to recover this money. So what we presently do is to give those moneys which we can forfeit in a form of grants.

So, that has been the major problem in Nigeria. A lot of people have collected money under different schemes; both the small and big farmers and they never return these moneys. Banks have had causes to write off some of these moneys. So, as we consider this Bill, we must be able to put in place measures to recover the moneys that will go to people for commercial farming or whatever farming we call it so that others will be able to benefit, because if you have a scheme where some people take money and did not return it, it makes it impossible for others to benefit from it.

It is important that the Committee or this Bill take cognisance of this fact and put in place proper machinery that will enable the Bank or whichever agency that will administer this scheme to recover this moneys and make it available for other farmers so that this can continue to be a revolving kind of scheme and then more people will benefit from this. If we do that, I am sure it will go round. There is a saying that equality is equity, if more people benefit from this, I am sure it will help as the sponsor said to revolutionise agriculture. Of course, this is putting agriculture in its proper place in the scheme of things in our country and it will help to support our economy in a very great way.

I congratulate Senator Mao Ohuabunwa for bringing this Bill; I believe that if we put it together with Senator Andy Uba's Bill, we will be able to have something that we will be proud of.

Senator Abdullahi Adamu (Nasarawa West): Mr. President, I lend my voice in support of this Bill, Commercial Agriculture Credit Scheme Bill, 2015. It is very encouraging to note that the 8th Senate is taking a lot of interest in making or reviewing existing laws where there are inadequacies to promote the course of agriculture production in Nigeria. I will say with all respect that this will appear to stem from the fact that the government of the day is putting a lot of emphasis in the promotion of agriculture by way of its objective for diversifying the Nigerian economy. The response from the 8th Senate has been most encouraging in this regard.

I feel happy not only because I am privileged to be the Chairman, Senate Committee on Agriculture but because I am a farmer. I have had the privilege of leading the Nigerian Association of Farmers before I came to the Senate.

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I do know and appreciate the problems that the Nigerian farmer faces particularly the small holder farmer. This Bill is about financing commercial agriculture through credit facilities.

Like the Deputy Senate President mentioned earlier, there is a Bill that is awaiting Public Hearing on the 18th May, 2016 and there are lots of similarities between this Bill and that other one. In the course of the Public Hearing and before the Report of the Public Hearing is out, the spirit and contraction of the Bills would be harmonised in such a way that there should be no duplication. The problem of the Nigerian farmer whether he is small scale, medium or large scale is financing. The fact of the matter is; I know no country including so called developed countries of the world where agriculture has made any meaningful leap forward without proper and appropriate fiscal policy to drive it.

Commercial banks in Nigeria are not interested in agriculture. They are not interested because they do not see money in agriculture; they are not interested because they will tell you, and you cannot but agree with them that they are set up as a commercial enterprise to make profits and because there is no profit in agriculture, they are not interested in it. If you see any commercial bank in Nigeria exposing itself in billions, you can be rest assured it is money from government and not from the banks. All they do is that they provide the leverage or guarantee of the funds; they are government funds. In one of the interventions a while ago, a distinguished Senator did mention the issue of CACS which is the Commercial Agriculture Credit Scheme - two Hundred Billion Naira came from the Central Bank of Nigeria in 2009 and behold, the two hundred billion naira was held by the banks for not less than two years, arguing as to how it will be disbursed to applicants. In the course of the two years, they make more profits than any Nigerian farmer will ever think of making in the life of this country.

Over and above that, it is not just enough to make the law for commercial credits, the fact of the matter is that the banks give you facilities with two to three lacunas, one, if you apply for the loan, you do not get it before the season and with season in agriculture, if you lose one month of agricultural operations, if you are not careful, you have lost the whole season. Secondly, the interest rates are so prohibiting even where there is pretence to make it a one-digit interest, the administrative charges and other ancillary charges take it to more than the single digit that you were given to believe.

Thirdly, if you take a loan from any commercial bank today whether it is their money or Federal Government money, they will compel you; what you will do to repay is there and they will compel you to take Insurance from their own banks.

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Anything that is going to be service required in the course of using the funds, they will compel you to go to their own banks on their terms even where you have other institutions providing similar service giving you smaller or lesser obligations in terms of finance, they will not accept. They will compel you to open letters of credit in their banks even where the standard in international financial institutions is such that you have difficulty getting letters of credit on it.

These are the kinds of problems that people who borrow money from commercial banks in Nigerian face. Yes, anybody who takes money that is not his own must pay. He must be made to pay and unless there is receiving and repayment, others who are in the queue wanting to benefit cannot have that benefit. But the fact of the matter is the policies under which these laws are given are such that makes the payment sometimes difficult. Therefore, I support this and I will hope that as we go along, we will address the issue of fiscal policy in this country.

Once upon a time in this country, commercial banks were compelled by government fiscal policy that every financial year, the banks must show prove that it has given a given percentage of its lending folio to agriculture and it may be from their turnover or from the margin of profits. A percentage must be allotted to agriculture and there were inspection machinery of these institutions. This is not happening for some times now and therefore, the banks are on their own to dictate terms, to do it as they like and at the end of the day, the farmer who is weak is given to be seen to deliberately failing not to honour an obligation.

I support this Bill and it is my hope that in the course of time, we will address the issues that inhibits the performance of creditors and debtors.

Senator Bukar Mustapha (Katsina North): Mr President, I support the Commercial Agriculture Credit Scheme Bill. I want to lend my voice on the discussions or points raised by the Deputy Senate President. In harmonising the two Bills, we need to consider the other aspect of agricultural developments which is the inputs and more importantly, storage and then, the selling of the products because in repaying any credit, the farmer needs to sell his products. Therefore, the agricultural commodity exchange in place of the promissory boards will be the next thing I hope will be inserted or will be included in the harmonised versions of the two Bills. This is very important because number one, as we said, there is a need to have the peasant farmers taken care of in whatever scheme we are giving.

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But I am concerned also about the limits or at least, the portions where Senator Mao suggested ₦200 - ₦300 million to be eligible for any scheme, that should be lower and I hope that in the discussions or debate, we will be able to lower or look at this so that our peasant farmers will get access and we will avoid the pitfalls of the previous attempts to get money across to farmers.

Inputs, especially seeds, are issues that should be included in whatever scheme that we have because if you do not have any good seeds, no matter the agricultural farming you want to make or to produce, you cannot get the yields that are going to be economically viable for any agricultural activity to succeed.

I will like to support the Bill but I will also like to mention finally that for all these to succeed, we should have Commodity Exchange Schemes incorporated so that the price guarantee scheme is there for the farmers.

Senator Abubakar Kyari (Borno North): Mr. President, I will like to highlight some of the fears that I have that was loudly expressed by Senator Abdullahi Adamu and this further confirms my suspicion coming from a large agricultural farmer like him who happens to be a former Governor, former this, a former that, and three times Senator having problems with commercial banks. I come from the North East, Borno to be precise; Borno North is a predominantly farming area. I have expressed on this same floor before that the local farmer that is at the extreme, towards the Lake Chad is far away from Maiduguri let alone Abuja or Lagos where the banks' headquarters are situated. When such a farmer applies for loans, it may take ages before he gets approval because they have to send the application to their headquarters and they give so many conditions. Some of these farmers, like in the Chad Basin area, have large land and they form Corporative but they do not have much in terms of collateral and guarantees. I want to state here that some of these issues must be very flexible to accommodate some of these large corporative farmers.

With this, I am in support of what Senator Abdullahi Adamu has said regarding the commercial banks.

Senator Umar Ibrahim Kurfi (Katsina Central): Mr. President, this Agricultural Insurance Scheme is a very important Scheme if organised by the Federal Government. The main essence of this is for small scale farmers, but the problem we are having with this is, it is a very risky scheme, and because of the riskiness, in 2000 – 2005, the Federal Government used to impose that on us, Central bank should take 75 *per cent* of the risk while the commercial banks will take 25 *per cent* of the risk; that is exactly how it started.

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In the event of default, in the same way the Federal Government contributes 75 *per cent* and commercial banks contribute 25 *per cent*. The importance of this Bill is, there must be a small interest rate, and it used to be one single digit, in most cases 7 to 9 *per cent*. I could remember during the time of our former Governor, late President Umaru Musa Yar'Adua, when the Scheme was introduced in 2001-2003, the turnover was very good, the recovery for the first year was 90 *per cent*, that was in 2001, the recovery for the second year was 75 *per cent*, and the recovery for the third year was 85 *per cent*. If this Scheme can be effectively monitored and insured, it is going to be a beneficial scheme.

I therefore urge all my Colleagues to support this Bill and implement it.

Senator Barau Jibrin (Kano North): Mr. President, the fact remains that the cardinal focus of this administration in its bid to move away from depending on petroleum sector and managing our economy is to diversify to areas of solid minerals and agriculture. Agriculture, as we know, is being practiced by peasant farmers who are largely in our rural areas. Some of them who want to move into commercial agriculture are hampered by lack of capital, and the educated ones who have the desire of getting engaged in commercial agriculture are also hampered by lack of funds.

There is the need for an Act or an arrangement where credit facilities will be made available to those who want to go into commercial agriculture. This is why the importance of this Bill cannot be over emphasised.

I therefore commend the sponsor of this Bill for having the initiative of bringing up this Bill. We all know that even though our peasant farmers are doing a lot to provide us with the needed food, but their efforts are not enough and that is why we sometimes have food scarcity in this country. But when we encourage commercial farmers through the provision of credit facility, this will improve the activity of farmers and also will lead to greater food production. Not only that, it will help to reduce unemployment as said earlier by the speakers before me. It will also help us in making sure that we conserve our foreign exchange, instead of importing food stuff from some parts of the world, we will be in the position to export.

It will also help our real sector because most companies depend on agricultural produce as raw materials, so the activities of commercial farmers will help to provide the needed raw materials for our industries.

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It has become necessary that our Colleagues should give support to this Bill so that we can have a situation where our commercial farmers will have funds to pursue their agricultural activities so that we can rejuvenate our economy for the betterment of all of us.

Senator Dino Melaye (Kogi West): Mr. President, thank you for considering the young farmers. This Bill is not only important but we must approach it from this positive perspective that it is not about giving loans or grants to farmers.

When I was in the House of Representatives, I moved a Motion on the ₦200 Billion granted by the late Yar'Adua administration that the money spent over a year in commercial banks and the House then resolved to invite Abba Ruma, the then Minister of Agriculture, which eventually led to the distribution of that money that had no positive impact at all.

It is not giving assistance to low scale farmers in terms of grants or loan that matters but assistance in terms of seedlings, implements, building storage facilities across our rural areas for perishable farm items, constructing rural roads to our various farms, provision of irrigation for our farmers and properly funding our River Basins. As far as it is going to be monetary assistance to individuals, friends of government and political associates, we would never get to the bottom of actualising our agricultural dreams.

I want to advise that assistance or grants should be granted in this perspective, and that is the only way we can boost agriculture so that the young and aspiring farmers like me will one day get to the level or stage of Senator Abdullahi Adamu who is already due for retirement as President of Nigerian Farmers.

This is a very wonderful Bill but we must provide implement and facilities that would promote Agriculture instead of sharing money to individuals.

Senator Ogola Foster (Bayelsa West): Mr. President, I support this Bill which is well crafted and for the first time, we shall be having a law to commercialise agriculture and provide the needed funds.

What we need as in part two of this Bill is to ensure the proper coordination between the Central Bank, the Ministries of Agriculture and Water Resources to ensure the smooth implementation of this Bill so that it would not fall into the same trap of the present policy on agricultural lending.

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Presently, the farmers are not having access to the first phase of one hundred billion Naira or the balance of it because of the nine (9) *per cent* annual interest rate policy; this five hundred billion Naira being proposed is good for a start but the fund should be a revolving fund and not a onetime fund. The Bill should also be configured to include the services of extension farmers so that there would be improvement on the skills of the rural farmers which is the mainstay of agriculture in Nigeria because all commercial schemes by government at States or Federal level have always failed.

The implementation phase of this Bill should be properly crafted, and this we shall do through the Public Hearing. If this Bill is implemented and would not be hijacked by the portfolio farmers, then, it would be good for Nigeria. This Bill should also be pursued vigorously to include the standardisation, proper grading and storing of our agriculture produce to ensure that it meets international standards for export and local consumption.

The Bill is due to be passed for Second Reading and I recommend it to all Senators to ensure that it would not just be Second Reading but the speedy funding of the Public Hearing and the final passage of the Bill. I therefore support the Bill and encourage others to do so.

Senator Barnabas Gemade (Benue North East): Mr. President, we know that even though agriculture stands at nearly 50 *per cent* of GDP for this nation, its mainstay has been peasant farming and we see a situation in this nation where that particular industry is under threat today. Either desertification or conflict between herders and arable farming has made it impossible for peasant to produce at the same magnitude.

With the spirit of diversification of the economy under the present government, it is therefore very timely for commercial agriculture to be supported by a legal framework that is where this Bill becomes very important. We have seen government's efforts through policies to promote agriculture and increase production of agricultural products in this nation but because these policies did not have legal framework and there were no bonds under which the policies would be implemented or any set of punishment set for those who will infringe on the execution of those policies, they always ended up as white elephant projects.

We have heard about two hundred billion under CAC, another two hundred and fifty billion under Central Bank guarantees, all these did not produce the desired level of commercial agriculture in this nation simply because there were no set rules under which these will operate. When this law proposed by this Bill comes into play, we would be on the way to ensuring that commercial agriculture actually thrives in this nation.

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It is therefore my singular honour and privilege to be one of the main supporters of this Bill to ensure that we create this Commercial Agricultural Credit Scheme into a law that will promote commercial agriculture. In addition, we should not lose sight of trying to help the peasant farmers to continue their trade and this can only be done by Agricultural Extension Schemes, and that is where the preposition of Senator Dino Melaye comes into play.

These are people who cannot manage credit but certainly do with a lot of advice on how they can do more successful farm investment. That is where they would need to have this extension scheme that will work very well along with the credit scheme even though there is no law for that particular aspect of support but it is still very important that it will support the peasant farming in order to compliment the commercial agriculture that this law will promote.

With this remark, I support this Bill wholeheartedly and I believe that we should pass it into law as quickly as possible.

Senator Bukar Abba Ibrahim (Yobe East): Mr. President, I am in total support of this Bill. We have heard it from the real farmers like Senator Adamu Abdullahi and we have pretenders like Senator Dino Melaye and others who have made very useful contributions.

Let me also commend Senator Mao Ohuabunwa for bringing this Bill. It is correct that there was similar Bill to this one and I urge the Committee on Agriculture to really look very widely and bring everything that is possible that the Bill would be very strong and last for centuries.

There are also some very interesting statistics which are factual from this Bill, like the 80 *per cent* of its revenue from petroleum but 41.8 *per cent* of the main stay of the economy is from agriculture. It is the agriculture that give us attractive GDP and it continues to grow, and there is no way this mantra of change by the government of President Buhari can diversify the economy without paying attention on agriculture which is the main stay of our economy. I am a farmer, the son of a farmer, the grandson of a farmer, and I am very proud of my farming background.

I have a very huge farm which have not developed very much because of the problem of funding, it was only once over the last 11 years I took a loan for my farm and I know I was able to repay the loan; in fact, if it was not because of this Senate, my farm would have totally collapsed. I am very happy that I took a good decision of coming to the Senate to fund agriculture; my coming here basically is to fund agriculture.

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This Act of Parliament we are about to approve is going to be very useful in large scale farming and it is very well commended. In fact, every line and every paragraph in this Bill is important, it is a very well researched Bill and I believe that by the time it goes through the Committee level, it will even be richer than what it is today.

In fact, the last paragraph said it all and Mr President, if you do not mind I will quickly read it, it is not much.

It is my firm belief that this Bill, to be cited as THE COMMERCIAL AGRICULTURE CREDIT SCHEME BILL, 2016, has provided the necessary legal and regulatory frameworks for achieving the successful implementation of commercial agricultural growth in Nigeria. When pursued with the provided prudence, the Nation stands to reap a predictable rise in cash and food crop production, improve our food storage system and agro allied processing chains. Above every other thing else, the Scheme will assist the Nation in the diversification of national income and reduction of extreme poverty in the Nation.

I believe that paragraph sums it up and I urge all my colleagues including the young pretenders to fully support this Bill so that Nigeria would be great again. Of course, President Buhari's government will really diversify our economy along with fighting corruption and other areas cited. All sectors of Nigerian economy are important but agricultural sector is the most important of them all. We should give a lot of attention not just lip service so that Nigeria will become a great agricultural country again.

The President: I want to thank all our colleagues for their comments and general contributions to the debate. I will like to put the Question.

Question put and agreed to.

(Bill read the Second Time and referred to the Committee on Agriculture to report back in four weeks)

I want to join others to commend Senator Mao Ohuabunwa for this very important Bill. We cannot overemphasise enough the need for a proper regulation for Agric Credit Fund and all the Senators who have spoken today have highlighted the most important issue which is to ensure that the credit goes to the right people. This has being the problem and it is lack of a legal framework that has enabled this to continue. We must ensure that we have a proper legal framework that ensures that this money goes to the real farmers and not to the commercial companies that just use this agricultural scheme to seek for money.

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When the matter is referred to the committee on Agriculture, there must be a framework that will ensure that a proper work is done so that this Bill can come back before the end of this session for further deliberation.

Chairman Agric, please you need to put this Bill in a fast-track because all the talk on agriculture without this Bill will go to nothing, that is why it is very important that we play our role and put your experience to play so that we can avoid the pitfalls of the past in ensuring that these loans actually go to those that need it. In addition, we will ensure that you are well funded and logistics are made available so that you can present the Report within four weeks for Third Reading.

National Roads Funds (Establishment) Bill, 2016

A Bill for an Act to establish the National Roads Funds for the purpose of financing the maintenance and rehabilitation of National Roads and for other matters connected therewith 2016 –

Order for Second Reading

Senator Bala Ibn Na'allah: Mr. President, the second Order of the Day is a Bill for an Act to establish the National Roads Funds for the purpose of financing the maintenance and rehabilitation of National Roads and for other matters connected therewith 2016.

I move that we stand it down to the next Legislative Day.

Senator Godswill Obot Akpabio (Akwa-Ibom North-West): Mr. President, I second the Motion that we stand down the second Order of the day to the next Legislative Day.

Question put and agreed to.

(With the leave of the Senate, Bill accordingly stood down to another Legislative Day)

CONSIDERATION OF A REPORT

The Unfortunate Recurrence of Kidnapping and Hostage-Taking in Nigeria – A National Wake-up Call

Senator Bala Ibn Na'allah: Mr. President, the third Order of the Day is consideration of the Report of the Joint Committees on Police Affairs, National Security and Intelligence in respect of a Motion on the unfortunate recurrence of kidnapping and hostage-taking in Nigeria - A National Wake-up Call.

You may wish to invite Senator Abu Ibrahim to move the Motion for the Senate to consider the Report.

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Senator Abu Ibrahim (Katsina South): Mr. President, I am briefing the Senate on the Report of the Joint Committee on Police Affairs, National Security and Intelligence on the unfortunate recurrence of kidnapping and hostage-taking in Nigeria. There are two Reports that have been circulated, one is the main Report, the second one is the Executive Summary, and I will read the Executive Summary.

The President: Move the Motion first and let me get a Senator to second.

Senator Abu Ibrahim: I move that I present the Report to the Senate on the Joint Committees on Police Affairs, National Security and Intelligence.

Senator Duro Samuel Faseyi (Ekiti North): Mr. President, I second the Motion as moved by Senator Abu Ibrahim.

Question put and agreed to.

Senator Abu Ibrahim: Mr. President, as I have said, there are two Reports that are circulated, the main Report which contains every aspect of our decision and the Executive Summary which I will read.

The Senate of the Federal Republic of Nigeria at its Sitting on Thursday, 19th November, 2015 deliberated on a Motion on the unfortunate recurrence of kidnapping and Hostage-Taking in Nigeria a national wake-up call and mandated its Committees on Police Affairs and National Security and Intelligence to invite the Inspector General of Police, Director General, Department of State Security to brief the Committees on efforts to eliminate the menace of kidnapping.

The Joint Committee swung into action immediately and held meeting on the 3rd December, 2015 to deliberate and work out modalities for carrying out the assignment.

The Committee resolved to invite the Inspector General of Police (IGP) Mr. Solomon Arase, the Director-General, Department of State Security (DSS) Lawal M. Daura and the Hon. Minister of Interior Lt. Gen. (Rtd) Abdulrahman Dambazau to brief the Joint Committee.

The Joint Committee held an interactive session on Wednesday, 9th December, 2015 with the Heads of the Security Agencies. The briefings received from the Security Chiefs were very useful guide in articulating the Committee Framework in carrying out the assignment.

Findings/Observations:

After interactive sessions with the invitees, the Committee made the following findings:

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- (a) That the Security Agencies are seriously tackling the menace of Kidnapping and hostage-taking.
- (b) That Kidnapping and hostage-taking is now a nation-wide phenomenon.
- (c) That the modus of operandi of the Kidnappers is well known to the Security Agencies.
- (d) That it appears the Security Agencies have not been able to perform optimally due to inadequate funding to enable them procure modern technology and equipment.
- (e) That there appear to be unnecessary and unhealthy rivalry amongst the Security Agencies leading to lack of required synergy and intelligence sharing on time.
- (f) That relation of the victims is always ready to pay ransom which tends to encourage the criminals.

Recommendations:

The Committee recommends as follows:

- (a) That the funding of the Security Agencies should be taken as a priority project bearing in mind that the practice of envelop budgetary for Security Agencies have proved ineffective.
- (b) That effort should be geared towards creating employment opportunities for our teeming unemployed youths.
- (c) That Security Agencies should embark on training and retraining of their personnel for effective capacity building
- (d) State Government should enact Laws to enable Security Agencies to prosecute Kidnappers and other crime related offences in their jurisdiction.
- (e) That synergy and intelligence sharing among Security Agencies should be vigorously pursued.
- (f) That the Inspector-General of Police and Director-General of the Department of State Security in particular, and other Security Agencies should be encouraged to do more.

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Conclusion:

The Joint Committee wishes to sincerely express its appreciation to the Senate President, the Leadership and the entire Senate for the opportunity to carry out this assignment.

It is my hope that the entire Senate will fully support the recommendations proposed by the Joint Committee.

Senator Shehu Sani (Kaduna Central): Mr. President, this Report is the true reflection of the state of the nation today. It is very clear that kidnapping has become a serious national security problem. I represent Kaduna Central, we used to read about kidnapping and watch it on television happening in Southern part of Nigeria but my part of the State today is on the front line of the kidnapping States. When you are kidnapped, your family is made to receive phone calls and money is demanded. If we do not take this issue very seriously, it will reach a point whereby even those that believe and feel they are safe could no longer be saved. As far as one person is unsafe in Nigeria, nobody is safe. The report clearly enumerated things that need to be done, funding for our security agencies, employment for our young people and the need to take security as a very important aspect of governance.

I do not know how it is possible for us as a government to fully assure and guarantee our people that we can protect them while those of us from our class are not safe. There was an incident in Kaduna where an Army Colonel was kidnapped and murdered. We have seen children and women kidnapped every day. I believe that this Report will be different from the usual contributions and so much talk about kidnapping by making it a reality in terms of implementing the very recommendation they made and I must use this opportunity to commend the Committee for a very good work done.

Senator Bala Na'allah: Mr. President, I commend this Committee for the exhaustive Report they have done and the summary of the details of the main Report but the nature and character of an offence will always determine the control strategy to be adopted in solving that issue. We happened to have the varying methods that have been employed by kidnappers depending on where the offence is committed. I was thinking that one of the principal feelings of our experience is that there is unwillingness to enforce the laws of the Federal Republic of Nigeria by almost agencies of government. This is one of the problems we are having and it appears that our security agencies are no more interested by enforcing the laws of this country because I cannot understand. It should beat the imagination of every right thinking person that somebody will be kidnapped and ransom will be negotiated in huge sum, that money will be delivered and taken by kidnappers without any trace.

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Honestly, I cannot understand how this is possible. Let us assume that there are isolated cases. We have heard a situation where it took certain countries thirteen to fourteen years looking for the suspect in an offence of kidnapping. Here we do not look for them as far as the money is paid and the person returns home, it is seen as usual. No responsible security set up will accept this. To me, this is a major challenge that we must call our security agencies to account for.

The idea that people keep on saying that they are not adequately funded, I cannot understand but when some important personalities are kidnapped, we see them swinging into action and bringing those people out as quickly as possible but in other situation, we do not hear anything. It has reached a stage in the life of this country where we should take our responsibility serious and be punished for negligence.

A simple resolution of this Senate that says in any division of police station and we have two or three cases of kidnapping, the DPO has no business whatsoever in continuing in that bit. If we do not hold people accountable for their actions, definitely, we will not have an end to this kind of problems. As far as I am concerned, this Report is timely but the resolution that comes out of this Senate relating or bordering on the recommendation of the Committee will go a long way in determining whether there is seriousness in the issue of tackling the menace of kidnapping in this country or not.

I therefore, urge my Colleagues to deeply put this Report into consideration and this Senate should look at two very important resolutions that will help in furthering the recommendation of the Committee. While I thank the Chairmen of the two Committees for doing a thorough job, I urge my Colleagues to look at this matter.

Senator Rabiu Musa Kwankwaso (Kano Central): Mr. President, this issue of kidnapping and hostage-taking is a very serious issue in this country. Before now, many of us were just hearing this challenge elsewhere, but today, the issue of kidnapping and hostage-taking is all over the country especially in Kano.

Today, we have so many Local Governments that are bothering our Belgores Games Reserves, that issue is now a common place. Let me at this point congratulate the Chairman and Members of this Committee for a job well done. My only concern is that I have not seen among the Findings, Observations and Recommendations the issue of the general public. The public is very important in this fight against these criminal activities.

What we did in Kano, especially, regarding the issue of Boko Haram was to involve the general public through the security agencies, we sensitised them, we support them and of course, we gave them identity cards.

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All the stakeholders, the farmers, the business men, politicians and everybody was involved in terms of training on how to contact the security agencies especially when there is an information to be passed.

I strongly suggest that among the recommendations, the issue of the general public should be included also because that will go a long way in ensuring that our security agencies got the information they require to function effectively.

I am also concerned about the issue of funding which is very crucial. The other aspect is that in the recommendation, we should also ensure that the resources released to security agencies are being effectively utilised for the purpose it was being given.

Senator Godswill Obot Akpabio: Mr. President, just to commend Senator Abu Ibrahim and his team for this Report, I want to say that the only place that I do not agree with the Report is the aspect which mentioned that *though kidnapping started in the Niger Delta area where oil workers mainly foreigners were targeted, nothing serious was done to stop it.*

That is the only place I would like to correct, kidnapping did not actually start in the Niger-Delta region; it started a long time ago, it was in Anambra State when a Governor was kidnapped. Many years ago, we attempted to kidnap a former Minister in London, the then Senator Umaru Dikko and bring him back to Nigeria. We also attempted to kidnap the then Governor of Anambra State, who is now an APC Chieftain, that is Senator Chris Ngige.

The President: Who attempted to kidnap him? You seem to know a lot, I just want you to educate us.

Senator Godswill Obot Akpabio: Mr. President, you are in a better position to know the answer, you were the Chairman of Governors Forum at that time and he was your colleague too. I am sure that when he came out, he must have told you his travail.

I commend the efforts of the security agencies in the country in their attempt to curb this issue of criminality generally. In my tenure as Akwa Ibom State Governor, I came across their efforts, many of them paid the supreme sacrifice in order to stop kidnapping. It is not true that nothing was done, a lot was done but you know that security is not something you discuss in the open.

What is happening now is that it is now moving from one section of the country to the other and even at that, when Mikel Obi's father was rescued in Kano, even in those days when kidnapping was restricted to the South-East and the Niger-Delta, it became a very big business in the South-East.

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The Niger-Delta kidnap was not necessarily for ransom at the beginning, they started by trying to protest the neglect for the region but when the South-East took over, particularly in Abia State, they commercialised it and then they turned it into a major enterprise where people even build houses and put bungalows under and dungeon. The people even have police security to move around, in that same house they have kidnapped victims under and that happened in Anambra State.

Security agencies worked very hard during my time. For the mere fact that there is what they called security votes in every State of the Federation, in any State where kidnapping is too much or rampant, the Chief Security Officers of that State must be advised to wake up. In my State, when there was issue of kidnapping, I woke up and many other things woke up; it is not something we can leave to the Federal Government only.

Again, we also try to stop or minimise kidnapping through laws, I signed a Bill into law against terrorism and kidnapping, we prescribed death sentence in that law for kidnappers and terrorists in Akwa Ibom State. I know that there are about five to six States that emulated that same example and also went in to making proper legislation.

As much as I support this Report I want us to look beyond the Report because democracy is all about the rule of law. For us to be able to guide the society properly, we must have the necessary legislation. Kidnapping within the Federal legislation is regarded as a misdemeanour; it is something that carries less than three years imprisonment and that is not enough to deter any criminal. So, we need a very stringent measure and a very strong legislation to bring this issue to an end nationally and that will also guide all the States of the Federation. That will be my submission and so I support the Report.

Senator Bareehu Olugbenga Ashafa (Lagos East): Mr. President, I support the Chairman and Members of the Joint Committee who have proposed several recommendations towards putting this dastardly profession into permanent extinction. However, we cannot do this by not recognising that this is a very big and serious challenge for our dear country, particularly, this Senate.

If we look at the past happenings as far as kidnapping and hostage taking is concerned, we have seen that it has become something of a lifestyle not restricted to a particular region or State in Nigeria, it pervades all the 36 States of the Federal Republic of Nigeria plus the Federal Capital Territory, Abuja. We must endeavour to come up with a proper and strict legislation that will zero in on ensuring that all States can enact their laws given the peculiarity of their environment to arrest this law.

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Like the Yorubas would say (*Omo mi ku, osan ju omo mi nu lo*), the literary meaning of this is that, the death of a child is not as painful as that of a missing child. If that child is dead, the child is dead, but if a child is missing, the psychological trauma even after finding that child given the circumstances that arose when that child was kidnapped will always stay with the family and friends.

I remember the last episode in Lagos when three girls were kidnapped from the premises of their school; I pray that will be the last episode. It took the combined efforts of the Lagos State Government and the Federal Agency in ensuring that those girls were rescued. I want to seize this opportunity to commend the effort of the Lagos State and the Federal Government; the whole nation woke up to ensure that those girls were released.

Often times, we restrict our thinking to the fact that kidnapping can never happen to me as an individual. You do not have to be rich, now-a-days there are so many kidnappings going on that are not reported; kidnapping that will put a price tag of mere ₦20,000 on the person kidnapped. Right now, we have one in Ogun State, a colleague and one of us, Senator Anisulowo was kidnapped and it took the combined efforts of all agencies and the State Government to announce a ransom of ₦5million. As much as possible, we should try to go beyond this.

I want to support Senator Akpabio that a proper legislative platform should be formed and we must make laws to ensure that all States have laws that will write off these archaic laws that we have in our present Constitution.

I therefore want to support all the tenets and intendments of this Motion and ask the leadership of this Senate to ensure that this Report sees the light of the day.

Senator Dino Melaye: Mr. President, I want to start by saying that this Report is very important to the Senate. I am particularly not excited that the Report stipulated that at its sitting on 19th November, 2015, that 108 kidnapping and sea piracy incidences in 24 States including 26 foreigners took place. It is grossly alarming. We also see from the Report that Eight Hundred and Forty Two Million, Five Hundred Thousand Naira was reportedly demanded as ransom by kidnappers and it is shameful that out of this amount, Twenty Eight Million, Six thousand and Sixteen was actually paid. We have to take the issues of kidnapping more seriously than we have taken it and I will want this particular Senate to also develop stronger recommendations that will have far reaching impacts on the fight against kidnapping than are stipulated in this Report.

Chapter 2 of the Constitution of the Federal Republic of Nigeria is very clear and it reads:-

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CFRN 14(2)(b) - *The Security and Welfare of the people shall be the primary purpose of Government.*

We have been hearing about kidnap and it has gotten so bad that security agencies are involved in the negotiation of ransom to kidnappers. Unfortunately, after release of kidnapped victims, we are not seeing much in the arrest and prosecution of kidnappers.

I want to support the move on this Floor that a more stringent legislation is agreed upon where kidnappers will either die by firing squad or by hanging. If the punishment is not severe, then we will not only continue to promote kidnapping but also weakening the security capabilities of our security agencies.

I want to advise that issues of great national importance like this should not wait this long before they are presented on this floor.

Senator Muhammad Adamu Aliero (Kebbi Central): Mr. President, I want to give additional information on this Report. During our interaction with the Security Agencies, they made it very clear to us that 90 *per cent* of the victims of kidnapping paid the ransom without the consent of the Police or the SSS. They made it very clear to us that they are always against the idea of paying ransom but the victim's family, because of the psychological trauma they go through, end up paying the ransom.

Kidnapping is a national malaise, it has caused this country a lot of bad name abroad; it has made it impossible for investors to come into Nigeria because when you travelled abroad and start asking people to come and invest in Nigeria, the first question they will ask you is what about kidnapping? We understand that it is very common in Nigeria today, for this reason, I support the idea of enacting a national law that will prescribe capital punishment for kidnappers, this is the only way we can take serious measures to address this problem.

There are other issues that are associated with kidnapping; during our interaction, it became very clear to us that the main cause of kidnapping in Nigeria today is unemployment. Most of the youths that graduated either from the Universities or Polytechnics end up without any job and they go into criminality because they have no means of livelihood. Both the States and the Federal Government should collaborate and ensure that employment is being provided for these youths.

Another issue that had been highlighted is that of poverty and get rich quick mentality particularly among the youths. Nowadays, when a young graduate comes out of the University, the first thing he will think of is having a car and a house, he wants to be like somebody who has being on the job for ten years.

To make it serious, we should certainly enact a national law that will prescribe capital punishment for kidnappers. This is the only way we can be seen to be serious on it. Leaving it to States is not enough, not more than seven or eight States have enacted laws against kidnapping. The solution is here and I therefore support that a national law should be enacted in this Chamber.

Senator Abdullahi Adamu: Mr. President, I want to make a very short intervention on this very well thought of Report of the Joint Committee of the Police and Security and Intelligence. Speakers before me have alluded to various causes that have put us where we are today as regards the issue of kidnapping. I am afraid of something that may happen if we are not careful. Let us ponder for a while and see why this sudden upsurge in the issue of kidnapping at a time when we are beginning to feel some little comfort that this Administration is succeeding in containing the menace of *Boko Haram* from nowhere. Now, we are faced with the issue of herdsmen and farmers. The divergent attention on it is such that you feel like the entire country is under threat, and I do sympathise with people who were the victims of these clashes.

Then, the upsurge in this kidnapping, if you see the category, every life is the same value whether it is a little boy or from a poor family or millionaire's family, or from a royalty or in the corridors of power in government, life is life and life is sacred. But the upsurge we see today is such that specific people are being targeted, over and of the fact that the occurrence would appear to have move from the Eastern part of the country or South-South which seem to be the area that the country thought these activities were manifesting is spreading all over almost entire 36 States. Only a week or so ago in the Federal Capital Territory, the Archbishop of Abuja was threatened, whether they were going for his life or they were trying to kidnap him, nobody will say, God saved the situation.

Mr. President, I have a personal experience, two of my children were kidnapped at various times and each of them, even though we managed to get them, at least lost his car in the process. I want us to please address seriously the issue as to why this sudden upsurge, there are so many coincidences in these issues that pertained to security of the Federal Republic of Nigeria. It goes beyond to say yes we endorse a Report which is well thought of, produced, written and presented by the Chairman, but there is a little more to it.

There is this saying, I do not know how to capture it in English, literally translated, *if you see frog on the top of water dancing, the drummer is there under, the drummer providing the music for the frog to dance on top of water is by the corner*. We need to go down and see what is happening in this country today.

Senator Ike Ekweremadu: Mr. President, earlier this morning when we were discussing the issue of agricultural credit scheme, Senator Ahmed Lawan was naming farmers in this Chambers, I want to thank him for including me because I am indeed a farmer. But what we are discussing now is about kidnapping, possibly I am the only person in this Chambers that have been kidnapped before. On the 10th September, 2000 I was kidnapped, I was then Chief of Staff in Government House of Enugu. It happened when I went to see my wife who had a baby in the hospital, as I was just coming out of the hospital to enter my car, I was accosted by two young men with arms, from there they took me for two days, eventually I was released and no ransom was paid.

Just recently, one of my relations was also kidnapped. So, I believe I am talking as an expert in kidnapping and as experienced person. Therefore, I know the psychology of kidnappers because I stay for two days with them. These are normal human beings who are sometimes looking for money and also afraid of security agencies.

There are three types of kidnappers; there are some who kidnap either to make a statement or to intimidate the government like the *Boko Haram* people and the Niger Delta Militants. Another type of kidnappers who are just normal armed robbers, sometimes they just kidnap you, put you in the boot, and use your vehicle as an escape or for robbery. Such ones, once they succeed either in taking away the vehicle or using it to drop their victim. The third type, which is very dangerous, is the professional kidnappers who kidnap for money and that is the one I believe we are focusing on this afternoon.

We have encouraged this type of kidnapping because we panic and pay money most times. When these kidnappers carry you, they will put you somewhere and they are in a hurry to negotiate so that they can set you free and go for another victim. Most times, our people are reluctant to delay or to endure the inconvenience and the hardship and then they quickly negotiate. If we can discourage this kind of kidnapping, the only way forward is to insist that you will not pay.

When one of my relation was kidnapped few weeks ago, the Commissioner of Police was putting pressure on me to take the calls of these people and negotiate, I said I will never do anything like that because I know that time was running out on them, because they are also in a hurry to conclude that deal and move on. The way you will know is that they would start to say fifty million, then they would come down to twenty, thirty and to ten. It would get to a situation even if you give them one million, they would release the person.

As it has been said before, once the person is released, nobody talks about it, the Police would not investigate again and that ends up the matter.

2469

In fact, when my relation was released, Police now kept calling and telling me that they are still catching up with them and that they would soon arrest them. Meanwhile, the victim has just been released. So, the important thing for us to do is to discourage this kind of kidnapping by refusing to pay. Those people who kidnap for money would never kill the victim and once they know that people are not going to pay, it is most likely that they would either disturb the business or it would reduce drastically.

Therefore, while the security agents are doing everything possible to ensure that this does not continue, as individual human beings and citizens, we need to cooperate with the security agency by insisting that we are not going to pay anything because when they see that business is not working, it would either reduce or it would stop.

I encourage every State to have a law on kidnapping and insist that even when the victim is released the Police need other law enforcement agencies to get to the root of the matter. They are not to just drop the charge because the victim has been released; we are talking about rule of law here. Offence has already been committed whether the person is released or not. They need to go to the root and find out who and who are behind these things, that is another way to discourage kidnapping but if the Police drop the charge because the person has been released then it means that next time, they would move on. That is why they are in a hurry to collect money and move on because they know that once they get money and move on, Police would not look for them again.

That is why most times, they do not kill their victims because if they kill the victim, the Police will continue to be on the trail because the offence which has been committed is now murder. Therefore, they avoid that kind of situation and that is why it is important that we all need to cooperate by making sure that we should stop paying ransom to kidnappers.

Senator Ben Murray-Bruce (Bayelsa East): Mr. President, kidnapping is a crime like all crimes. Sometimes it is important to go back to history to understand how previous government have handled such things. After the Nigerian Civil War, there were lots of Arms in Nigeria, the Head of State in Nigeria at that time was General Gowon, his approach to crime in Nigeria then was what he called the Bar-beach show. He would arrest the criminals put them on a stage and have them shot at the Bar-beach.

That worked for a while, and then he said, he killed them but the relatives and the families of those criminals did not know that they were killed. He said then that if you were from Kano and you committed a crime I will kill you in Kano, your village.

2470

If you were from Anambra or Bayelsa, I would do the same. Therefore, they started taking criminals to their villages and had them shot there. I cannot remember exactly if it solved the problem of crime in Nigeria but that was what Gowon did in the 70's, that was his way of solving crime after the Civil War when there were lots of Arms in the country.

If you go back to thirty years from today, the biggest problem we have with kidnappings is because we have no deterrent. For instance, if somebody is kidnapped and you actually capture the man who kidnapped that person and you did not have a show trial, so how do you tell someone who is thinking of kidnapping that it is bad? If you did not put him on trial, publicised the trial, you did not let him know the consequence of his action, you did not tell him and have his family, his wife and children there and said you can put him on trial, he will not know that kidnapping is bad. There should be a show trail using the television and cameras everywhere.

In those days, such criminals would be shot, hanged or jailed but presently, there is no consequence. I know for a fact that if the Police catch a bad person, they will take such person to the back and have him shot, all right, that is fine but how do you stop the next person from committing a crime? If you have him shot and thought you have stopped one person from committing another crime without creating awareness, how about one million other people who are willing to commit that same crime; they do not know whether they are going to be shot anyway. So, we have a problem as there is no consequence for bad behaviour.

Therefore, the Report must first deal with the consequence for bad behaviour, and also look at what happened when General Gowon was the Head of State. When he shot people at the Bar-beach and in their villages for committing those crimes, was there any deterrence? We need to get in touch with Sociologist and Psychologist; if it is a social problem, then it is a criminal and legal problem but all these must be looked into in the Report.

Again, we need to understand that one of the biggest problems why people are not scared of committing crime in Nigeria today is the issue of drugs. It is a very serious problem. When I spoke with my colleagues, they told me that everybody in their States snuffs something. A lot of Nigerians today are on drugs and when you are on drugs, you neither think nor understand the consequences of your action. We have a serious drug problem in Nigeria. I raise this issue because everybody says, all right, people do not just wake up in the morning and start kidnapping or committing crime, to get their AK 47, there is a reason to do that.

2471

We need to understand why people have such behaviour, it is not natural. When God created the World, God did not say there would be more criminals in Nigeria than Japan; that is not the case. We in government must do something special to make sure we have fewer criminals in Nigeria than Japan and the only way to do that is to deal with the social issues and then make it part of our lifestyles.

If we live exorbitant lifestyles in a poor country, then we will attract attention when we should not. But please my colleagues, we need to deal with the problem of drugs, we need to have shown trials so people who commit these crimes are put on television. Once they are put on television and they are found guilty, there has to be consequences.

Police men who found these criminals should have them prosecuted. The America Embassy now have a big team of FBI Agency in Nigeria, the FBI agents represent Americans who were kidnapped in Nigeria because they feel safer if FBI Agents negotiate with the kidnappers to resolve problems. So, what is happening is embassies are bypassing our law enforcement officers and government are coming into this country to negotiate with kidnappers to protect their citizens.

This is a very serious problem and it has implications on trade, investment and the way we live. Nigerians today send their kids to schools abroad because they want to feel safe. They want to go to bed at night without thinking that their kids are going to get shot, killed or kidnapped; those who are rich do that.

Therefore, I urge my colleagues to look at the Report one more time, I do not feel that the Report is detailed enough, I do not feel that it has covered all the areas it ought to, it should be revisited. We should speak to Embassies who currently negotiate with kidnappers; we should speak with General Gowon and all those who were in the government in the 70's because one million people died at the Nigeria Civil War but when the War ended, we had the problem of kidnaping as bad as what it is today but the Military Government at that time found a way to solve the problem.

Armed robbery after 12th January, 1970 was something else in this country but General Murtala Muhammed found a way to solve that problem. We need to go back in history and find out how it was done. In those days, it was only NTA and FRCN but the publicity machinery to solve those problems was such that it did a fantastic job, we need to revisit that era and come back with a solution.

Senator Ovie Omo-Agege: Mr. President, let me begin by commending the Chairman, Senator Abu Ibrahim for this Report.

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As indicated by a lot of speakers here, I personally believe that the Report itself is exhaustive, but having said that, there is only one issue I have picked there. The Report identified the lack of intelligent sharing between the security agencies. I believe the bigger problem is intelligent sharing within the communities. Speaking from my experience, when I was Secretary to State Government, I had the opportunity to interact with those kidnappers, at that time, it began with the Niger-Delta Militants. In the course of my interaction with them, I discovered that the victims of those kidnappings were being quartered in the communities. Those who lived in the communities knew where those victims were but they will never provide any information about that until whatever agreed ransom had been paid. That remains the problem today.

Few days ago in Delta State, a lawyer was kidnapped in Ugheli my Senatorial District. When he was kidnapped he was not taken outside Delta Senatorial District, indeed, he was not taken outside of Delta State, he was taken to a community nearby. In that community, people know everyone who resides in that community. When they see anybody who is not from that community, they ought to know and the ideal thing is for these people to be encouraged to share such information that there is a foreigner who does not live here but have come into this community with one or two persons. That is the only issue that this Report did not address.

We should focus on that intelligence gathering within the community and that brings me to the issue of community policing. Ideally, I have only taken the position of what a Minister told us here the other day, because I was told that we have about 300,000 personnel in Nigeria Police Force. There is no way 300,000 Police Officers can serve the entire country of about 170 million people. We would have encouraged the decision where community policing will be put in place. You may bring people from the communities and pay them, maybe, as Community Guards or Vigilantes; I am not very comfortable with the word Vigilante of course, but let us say Community Guards. If they are being paid, they will know who is coming in and who is going out. In my village for instance, if a vehicle drives into the village, everybody in that village knows that the owner of that vehicle is not from that community, and they will like to know who is in that vehicle and make the appropriate report to security agencies.

This will be the only contribution I will make; beyond this, I am very comfortable with Senator Abu Ibrahim Report.

The President: Distinguished Colleagues, we will go straight to Recommendations. I have allowed a lot of contributions so that we can look at the depth of the contributions *vis-à-vis* the recommendation to see if there is need for some adjustments or reviews.

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- (1) *That the funding of the Security Agencies should be taken as a priority project bearing in mind that the practice of envelop budgetary for Security Agencies have proved ineffective –*

Question put and agreed to.

- (2) *That effort should be geared towards creating employment opportunities for our teeming unemployed youths –*

Question put and agreed to.

- (3) *That the Security Agencies should embark on training and retraining of their personnel for effective capacity building –*

Question put and agreed to.

- (4) *State Government should enact Laws to enable Security Agencies to prosecute kidnappers and other crime related offences in their jurisdiction –*

Question put and agreed to.

- (5) *That synergy and intelligence sharing among security agencies should be vigorously pursued –*

Question put and agreed to.

- (6) *That the Inspector-General of Police and Director-General of the Department of State Security in particular, and other Security Agencies should be encouraged to do more.*

Question put and agreed to.

Is there any further recommendations because there are some contributions with regard to the issue of new law?

Senator Muhammad Adamu Aliero: Mr. President, most of the speakers that spoke on the national law, I am of the opinion that the National Assembly should enact a law prescribing capital punishment for kidnappers. More than five or six Senators spoke on this and it should come as our recommendation.

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Senator Dino Melaye: Mr. President, I second the Motion moved by Senator Adamu Aliero.

Question put and agreed to.

The President: Any additional recommendation? (No response).

I want to join others to thank the Joint Committee on Security and Police on the work done on this very important subject matter of kidnapping in Nigeria and we hope that apart from the efforts in providing adequate funding to the security agencies, we can also look at laws that will further help in fighting this crime that has become a great problem in our country. Thank you all for your contributions.

Suspension of other items on the Order Paper

Senator Bala Ibn Na'allah: Mr. President, I move that all other items on the Order Paper be stood down to the next Legislative Day in view of the mood of the Senate.

Senator Emmanuel Bwacha: Mr. President, I second the Motion moved by the Senate Leader.

Question put and agreed to.

(With the Leave of the Senate, all other items on the Order Paper stood down to next Legislative Day)

ADJOURNMENT

Senator Bala Na'allah: Mr. President, having concluded the items on the Order Paper, I move that this Senate do stand adjourned till Thursday, 5th May, 2016 at 10.00 a.m.

Senator Emmanuel Bwacha: Mr. President, I second the Motion that the Senate adjourns till Thursday, 5th May, 2016.

Question put and agreed to.

Resolved: That the Senate do stand adjourned till Thursday, 5th May, 2016 at 10.00 a.m.

The Senate adjourned accordingly at 1:38 p.m.