SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 26th September, 2012

1. The Senate met at 10:10 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings of Tuesday, 25th September, 2012 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. **Announcements:**

(a) ***Invitation:***
The Senate President read a letter from Senator Andy E. Uba (*Anambra South*) as follows:

OFFICE OF
Senator Andy E. Uba *MFR*
Anambra South Senatorial District
Chairman, Committee on Independent National Electoral Commission

ASSD/CPS/18/13 *September 25, 2012*

His Excellency,
Sen. (Dr) David A. B. Mark (GCON),
The President of the Senate,
Federal Republic of Nigeria,
National Assembly,
Abuja.

ANNOUNCEMENT

BURIAL OF MY DEAR MOTHER LATE DAME EZINNE BESSIE CHINWE UBA (JP)

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Mr President, distinguished colleagues, the funeral service of my dear mother Dame Ezinne Bessie Chinwe Uba, (JP) has been slated for Friday 5th October, 2012 at St. James Anglican Church, Uga, Aguata L.G.A. of Anambra State.

Our family will be highly honoured by your presence.

Please find attached the programme of events.

Accept the assurances of my highest regards.

(Signed)
Senator (Dr) Emmanuel Andy Uba, MFR

(b) Acknowledgment:

The Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

(*i*) Students' Union Government (Legislative Arm) Federal Polytechnic Bida, Niger State; and

(*ii*) Mr Fred Osim, Special Adviser on Political and Legislative Matters to Cross Rivers State Governor.

4. Motions:

(i) Refusal of the Saudi Arabian Authority to Grant entry to over 500 Nigerian Female Pilgrims:

Motion made: That the Senate notes that from July 2012, over 500 Nigerian female pilgrims from the various states of the federation who arrived Saudi Arabia for this year's Hajj were denied entry upon arrival at the airport in Jedda and Medina;

notes that Hajj is mandatory upon all Moslems who can afford it, at least once in their life time; it is in this respect that the pilgrims applied for and obtained visa to Saudi;

aware that all the requirements for visa and entry into Saudi Arabia had been met by the Pilgrims and were still denied entry;

notes that the Sultan of Sokoto who is the Amirul Hajj, Nigerian Ambassador to Saudi and the Minister of Foreign Affairs have all intervened but to no avail.

The Senate accordingly resolves to:
urge the Federal Government to take all necessary steps and prevail on the Saudi Authority to grant the Pilgrims entry to perform their religious obligation (*Senator Abubakar A. Bagudu — Kebbi Central*).

Debate:

Proposed Resolution:

Question: That the Senate do urge the Federal Government to take all necessary steps and prevail on the Saudi Authority to grant the Pilgrims entry to perform their religious obligation.

Amendment Proposed:

Leave out the Proposed Resolution and *insert* the following instead thereof:

(*i*) "That the Senate condemn the discriminatory detention of Nigerian women after they had been given valid visas; and

(*ii*) That the Senate do urge the President, Commander-in-Chief of the Armed Forces of the Federation, Dr. Goodluck Ebele Jonathan to personally intervene by taking it up with the Saudi King to secure the release of the Nigerian pilgrims with immediate effect" (*Senator Victor Lar — Plateau South*).

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

Additional Proposed Resolution:
Insert a new Proposed Resolution as follows:
"That the Senate's Representative of Association of Senates, Shoora and Equivalent Councils in Africa and the Arab World (ASSECAA) table the matter at the next ASSECAA meeting" (*Senator Abubakar S. Yar'Adua — Katsina Central*).

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

Resolved:
(*i*) That the Senate condemn the discriminatory detention of Nigerian women after they had been given valid visas;

(*ii*) That the Senate do urge the President, Commander-in-Chief of the Armed Forces of the Federation, Dr. Goodluck Ebele Jonathan to personally intervene by taking it up with the Saudi King to secure the release of the Nigerian pilgrims with immediate effect; and

(*iii*) That the Senate's Representative of Association of Senates, Shoora and Equivalent Councils in Africa and the Arab World (ASSECAA) table the matter at the next ASSECAA meeting (***S/Res/009/02/12***).

(ii) The Judgement of the International Court of Justice (ICJ) on the International Boundaries between Nigeria and Cameroun including Bakassi: A Call for Appeal:
Motion made: That the Senate notes that the dateline of the judgement of the International Court of Justice (ICJ) on the International Boundaries between Nigeria and Cameroun including Bakassi that cedes Bakassi Island from the Federal Republic of Nigeria to the Republic of Cameroun would expire by October 9th, 2012, and the territory would belong to the Republic of Cameroun forever;

notes that the judgement was erroneously based on agreement between the British and Calabar Chiefs in 1884;

observed that there has never been a precedent in history where any case of this nature was executed without a referendum as enshrined by the United Nations;

disturbed by the lack of faithful implementation of the "Green Tree Agreement" signed by both the Cameroun and Nigeria; thereby violating the basis of the implementation of the Court judgement. Articles 3(1) and 2 (a) of the "Green Tree Agreement" stipulate that, after the transfer of the territory to Cameroun, the Camerounian authorities should guarantee the Nigerian nationals living in the Bakassi Peninsula the exercise of their fundamental human rights and other relevant provisions of the international law;

notes further that new facts have emerged after the ruling that were not available before the first trial coupled with the absence of a Nigeria Legal representation; and

aware that article 16 of the statute of the International Court of Justice (ICJ) requires appeal which include among other areas of errors or unknown facts from the judgement.

The Senate accordingly resolves to:
urge the Federal Government of Nigeria to invoke Article 61 of the ICJ Statute to appeal the said judgement in the interest of Nigerians in the affected areas, including Bakassi (*Senator Abdul A. Ningi — Bauchi Central*).

Debate:

Proposed Resolution:
Question: That the Senate do urge the Federal Government of Nigeria to invoke Article 61 of the ICJ Statute to appeal the said judgement in the interest of Nigerians in the affected areas, including Bakassi — *Agreed to.*

Resolved:
That the Senate do urge the Federal Government of Nigeria to invoke Article 61 of the ICJ Statute to appeal the said judgement in the interest of Nigerians in the affected areas, including Bakassi ***(S/Res/010/02/12)***.

5. **Terrorism (Prevention) Act, 2011 (Amendment) Bill 2012 (SB.207):**
Motion made: That a Bill for an Act to amend the Terrorism (Prevention) Act, 2011 and for Other Related Matters 2012 be read the Second Time (*Senate Leader)*.

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to Committees on National Security and Intelligence; Judiciary, Human Rights and Legal Matters; and Drugs, Narcotics and Financial Crimes to report within One (1) week.

6. **Money Laundering (Prohibition) Act, 2011(Amendment) Bill 2012 (SB.208):**
Motion made: A Bill for an Act to amend the Money Laundering (Prohibition) Act, 2011 and for Other Related Matters 2012 be read the Second Time (*Senate Leader)*.

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to Committees on Drugs, Narcotics and Financial Crimes; Judiciary, Human Rights and Legal Matters; and National Security and Intelligence to report within One (1) week.

7. **Customs and Excise Management Act 2004, CAP. C45, Laws of the Federation (Repeal and Re-enactment) Bill 2012 (HB.238):**

Consideration of Bill deferred to the next Legislative Day.

8. **Animal Health and Husbandry Technologists Registration Board of Nigeria (Establishment, etc.) Bill 2012 (SB. 161):**

Consideration of Bill deferred to the next Legislative Day.

9. **Corrupt Practices and Other Related Offences Act, 2010 CAP. C31 LFN (Amendment) Bill 2012 (SB.194):**

Consideration of Bill deferred to the next Legislative Day.

10. Petroleum Act, 2004 Cap P10 LFN (Amendment) Bill 2012 (SB.146):

Consideration of Bill deferred to the next Legislative Day.

11. Adjournment:
Motion made: That the Senate do now adjourn till Thursday, 27th September, 2012 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:28 *p.m.*

Dr. David A. B. Mark, GCON, fnim
President,
Senate of the Federal Republic of Nigeria.