7TH NATIONAL ASSEMBLY
SECOND SESSION
No. 90

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 6th June, 2013

1. The Senate met at 10:27 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 5th June, 2013.

Question was put and the Votes and Proceedings were approved by unanimous consent.

3. **Announcements:**
(a) Appreciation:
The Senate President read a letter from Senator Aloysius A. Etok (*Akwa Ibom North-West*) as follows:

SENATOR DR. ALOYSIUS AKPAN ETOK, JP, FCIMAN
AKWA IBOM NORTH - WEST SENATORIAL DISTRICT
CHAIRMAN, SENATE COMMITTEE ON ESTABLISHMENT & PUBLIC SERVICES

5th June, 2013

The President,
Senate of the Federal Republic of Nigeria
National Assembly, three Arms Zone

My Beloved Boss,

LETTER OF APPRECIATION

It is said and rightly too, when a man forgets the language of gratitude, he is not likely to be in speaking terms with God. Accordingly, ingratitude is worst than a serpent's bite.

On behalf of my dear wife, and all my dear children, I sincerely and whole heartily write to express our immeasurable and unquantifiable gratitude to the Senate President, Federal Republic of Nigeria (Dr) David A. B. Mark and other Distinguished Senators, who set aside all other alternatives in other to do me and my entire family the honour of attending and gracing the marriage ceremonies of my dearly beloved daughter Dr. Unyime -Abasi and Engr. Edidiong John.

Honestly, we are indeed grateful and more is thy due more than all we can say.

Furthermore, we cannot over emphasize your total commitment to the success of the said ceremonies, which were palpably manifested in terms of your prayers, invaluable material and human resources contributions to the said events. No wonder, you were ably and graciously represented by no other Distinguished Senator than His Excellency, Senator Kabiru Gaya, indeed he made the Senate proud.

Accordingly, we fervently pray the Almighty God to grant you divine wisdom and unassailable courage, to legislate for the betterment and corporate advancement of the Federal Republic of Nigeria, where economic integrity and social security of lives and property remain the corner stone of our legislations.

Finally, may the Almighty God continuously bless each and every one of you (Distinguished Senators) with good health, sound judgement and divine protection, to do exploits in the service of our father land, Nigeria.

Once again, Distinguished Colleagues, we are indeed grateful and receive the deep - seated assurances of our esteemed gratitude to you all.

And to God alone be all the Glory.

Yours in service
(Signed)
Senator (Dr) Aloysius A. Etok
Akwa Ibom North-West

(b) Reminder:
The Senate President read a letter from Senator Gilbert Nnaji (*Enugu East*) as follows:

THE SENATE
FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON COMMUNICATIONS
National Assembly Complex
Three -Arms Zone,
P.M.B. 141, Garki, Abuja

June 6, 2013

His Excellency
Distinguished Senator David A.B. Mark, GCON
President of the Senate, Federal Republic of Nigeria
National Assembly
Abuja

Your Excellency,

REMINDER

This is to remind Distinguished Senators of the enhancement training programme on ICT and e-Parliament scheduled to take place today, Thursday, June 6, 2013 at the Conference Room 022 (Senate Newest Building) immediately after the Senate Plenary.

Your distinguished attendance will be appreciated.

(Signed)
SENATOR (PRINCE) GILBERT NNAJI

(c) *Acknowledgment:*
The Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

(i) Members of National Association of Northern Nigeria Universities Students, Abuja; and

(ii) Staff and Students of Community Secondary School Oba-Isin, Isin Local Government Area, Kwara State.

4. Remarks by the Senate President:

The President,
Senate of the Federal Republic of Nigeria

END OF THE 2ND SESSION OF THE 7TH SENATE APPRAISAL DELIVERED BY THE PRESIDENT OF THE SENATE, HIS EXCELLENCY, SENATOR (DR) DAVID A. B. MARK, GCON, fnim, ON THURSDAY, 6TH JUNE, 2013.

Protocol:

My distinguished Colleagues, Senators of the Federal Republic of Nigeria, my bosses!

INTRODUCTION

1. *The 2nd Session of the 7th Senate comes to an end today. Coincidentally, we are midway through the current legislative term, and in the 14th year of uninterrupted, and increasingly resilient democracy. This occasion therefore calls for thanksgiving, introspection and soul searching.*

BALANCING THE POLITY

2. *Our self examination shows that the 7th Senate has maintained the lofty and patriotic tradition of stabilizing the nation. Our interventions continue to balance the polity and moderate national discourse. Our strident insistence that things be done the right way in every facet of our national life, our abiding faith in our sworn responsibility to defend and uphold the Constitution, our keen commitment and dedication to our oversight responsibilities, and our instinctive patriotism, all demonstrate very eloquently that legislators are the gatekeepers to the realm of the public good.*

3. *This Senate has not only provided the necessary checks and balances to deepen democratic practice, it has also shown a willingness to rise above partisan and parochial considerations in addressing crucial national issues. And as occasion has often demanded, we have demonstrated a clear inclination for strong, responsible and responsive leadership.*

HARD AND PAINFUL DECISIONS TAKEN IN THE INTEREST OF THE NATION

(a) The Deployment of Troops to Mali

4. *This has entailed taking hard, difficult and sometimes very painful decisions. Our decision to approve the deployment of troops to Mali is one of those painful and difficult resolutions we had to take in our national interest. No decision can be more agonizing and solemn than sending the men and women of our Armed forces in harm's way. This 7th Senate on two occasions supported the President and C-in-C's deployment of troops in furtherance of our collective national security and foreign policy. The patriotic contributions of these brave young men and women in dismantling the scourge of violent*

Sub-region.

(b) The War with Boko Haram: Authorizing Proclamation of Emergency

5. *Here in Nigeria where the Boko Haram insurgency was blighting large swaths of the North East, we initially approved the declaration of a state of emergency in some LGAs. Because this proved ineffective, we have now given our imprimatur to emergency proclamation in Adamawa, Borno and Yobe States. In the face of a brutal challenge to our territorial integrity and corporate existence, and the attendant carnage, we were right to demonstrate the capacity and the will to take action.*

6. *However, let me say categorically that the Nigerian Armed Forces are not at war with the communities in which the terrorists have entrenched themselves, nor are they at war with Islam. Rather, we are at war with Boko Haram and its affiliates, a terrorist network preaching the ideology that violence against Nigerians and foreigners, Muslims and Christians, is justified in pursuit of a depraved cause!*

THE NEED FOR A QUICK AND PRECISE CONCLUSION OF AUTHORISED MILITARY OPERATIONS

7. *The military campaign against violent extremism, both at home and abroad, must be quick, surgical and precise, with as little collateral damage as possible. We know that the foe is faceless, unyielding, unreasonable and more often than not blinded by zealotry. This notwithstanding, we expect our fighting men and women to respect and abide by the rules of engagement. We appreciate the enormity of their sacrifice, the asymmetric nature of the egregious foes, and the extremely hazardous operational environment.*

TRIBUTE TO OUR FALLEN HEROES

8. *Many of our troops have already paid the supreme price for our country. A great many of our countrymen and women have been cut down in their prime, victims of a senseless and mindless onslaught. Together, they are our martyrs for freedom. Their martyrdom shall never be in vain.*

AVOIDING A WAR OF ATTRITION

9. *Despite the odds, a grateful and anxious nation eagerly awaits a quick but decisive victory. The nation cannot afford to be in a permanent state of war, and everything must be done to avoid a war of attrition. We expect Mr. President to fund the operation properly and support the States involved with additional fund to recover quickly. The Armed Forces would require the co-operation of the civilian population in the theatres of operations to bring the campaign to a quick, fruitful and logical end.*

WINNING HEARTS AND MINDS: A REFRAMED COUNTER TERRORISM POLICY

10. *However, our response to terrorism cannot depend on might and military force alone. The bigger challenge is to win the hearts and minds of the locals from whom the fanatics recruit their foot soldiers. To win hearts and reshape attitudes, we must identify and address the root causes of this extremism and sectarian hate. Appropriate federal government interventions aimed at modernizing the economies of northern Nigeria and creating mass employment; direct investments in mass education and mass literacy; and well thought out economic empowerment programmes, will reduce poverty, and create a well-spring of opportunity that will ultimately isolate extremists. These socio-economic interventions should constitute the core of a coherent national counter-terrorism policy that offers both the carrot and the stick. In this connection, we applaud the prescription*

of Boko Haram and Ansaru by the Federal Government. Both the proscription and the prescription of stiff penalties for their activities, are steps in the right direction.

NATURAL DISASTER: NEED FOR A COHERENT EMERGENCY RESPONSE POLICY

11. Within the last 12 months, the nation witnessed a spate of natural disasters the worst of which was the flood that devastated many parts of the country in 2012. It was a tragedy that left destruction in its trail. Across the length and breadth of our nation, lives were lost, livelihoods destroyed, and homes and farmlands washed away. The tragedy exposed the inadequacy of the nation's emergency response capabilities. In the immediate aftermath of that tragedy, several distinguished Senators rushed home to affected communities to render humanitarian assistance, coordinate relief efforts and offer corporal works. I thank these distinguished Colleagues for standing with their stricken communities in their hour of desperate need.

12. This year, the rains are back. No effort should be spared to avoid a reoccurrence of this tragedy. An efficient early warning system must be put in place, and a standard and workable operational procedure for dealing with emergencies and natural disasters instituted. In a world of rapidly changing climatic conditions, our emergency response agencies must become proactive, inventive and ready.

COLLABORATIONS WITH THE EXECUTIVE: NEED AND LIMITS

13. While stoutly resisting any attempt to cast the legislature as a rubber stamp, we have never hesitated to act in complementarity and collaboration with the Executive branch of government, whenever it was in the best interest of Nigerians. We have always done this within the limits of the doctrine of separation of powers. I believe that constructive engagement between the Legislature and the Executive is the right thing to do. The political philosophers who enunciated the doctrine of separation of powers did not intend that the constituent branches of government operate behind impregnable fortresses. But make no mistake about it! Friction between the various branches of government is inevitable - and it is healthy. The reason for separation of powers was not to eliminate friction, but to save the people from autocracy.

14. Through each inevitable spasm of friction, our primary loyalty must remain to the Constitution, and to the people who elected us. Though elected on different party platforms, this hallowed chamber unites and impels us all to rise above party and narrow interests. Abiding loyalty to this creed, in every decision so far taken, marks us out as elder statesmen of the first rank.

THE NEED TO ACT AS THE NATION'S CONSCIENCE THROUGH FEARLESS INTERVENTIONS

15. From our vantage position as statesmen and women and patriots, we will continue to take decisions not dictated by fear, but by wisdom and patriotism, and the fear of God. And as an assemblage of elder statesmen and women, we are inevitably the conscience of our nation, and we must not hesitate to intervene, when occasion demands. We did that when the Central Bank of Nigeria proposed the introduction of 5,000 Naira notes. We were convinced that it was an ill-digested policy, and we were even more convinced that it would have struck a debilitating blow on the national economy. Based on our stand, reason prevailed, and the idea was shelved.

REBUKING DISTRACTIONS AND OVER-HEATING OF THE POLITY

16. Now, it is time to speak out once again. Elections are two clear years away. Yet the collision of vaulting personal ambitions is over-heating the polity and distracting the onerous task of governance. With so much work yet to be done, we as elected officials, should focus on governance and justify our present mandates. Overheating the polity is unnecessary, diversionary, divisive, destructive, unhelpful and unpatriotic. Let this

vitriolic mix is being thrown a spate of mindless and distempered effusions that add no value whatsoever to the quest for national cohesion and development. Those beating the drums of war should realize that no nation can survive two civil wars in one lifetime. These trends must stop, and we must all remember that the nation is greater than the sum total of its parts.

NEW FRIENDS OF THE LEGISLATURE: RENEWED ADMIRATION FOR THE SENATE

17. *During this just ended 1st half of the 7th Senate, the Senate consciously cultivated and engaged civil society organizations and the Nigerian public. During our meetings, I passionately persuaded civil society to enrich the legislative process through constructive collaboration. I extended a hand of fellowship to every Nigerian to partner with the National Assembly in the discharge of our mandate to make laws for the peace, order and good governance of our country. These interfaces are beginning to bear fruit. Civil society participation in our public hearings is getting keener, and the general public now has a better appreciation of legislative niceties. In its truest sense, a new era of participatory democracy, involving all stakeholders, has begun to take root.*

PARTICIPATION IN GLOBAL PARLIAMENTARY BODIES

18. *We are building new bridges of understanding, and forming solid international linkages. Our membership of, and participation in the activities of global parliamentary bodies like Inter-Parliamentary Union (IPU), Commonwealth Parliamentary Association (CPA), Association of Senates, Shoora and Equivalent Councils in Africa and the Arab (ASSECAA), Pan African Parliament (PAP), have been keen and active. Our growing influence in the international legislative community is evident in our headship of the Parliament of the Economic Community of West African States (ECOWAS Parliament), with one of us, Senator Ike Ekweremadu as the Speaker. By these interactions, we benefit from the legislative experiences of other democracies, and our perspectives and insights are broadened and enriched. Much of what we have done has been bolstered by the intellectual resourcefulness of the National Institute for Legislative Studies (NILS) whose metamorphosis from Policy Analysis and Research Project (PARP) has given even greater drive and impetus to legislative efficacy.*

EXPECTATIONS OF THE PUBLIC

19. *Every one now expects the Senate to lead the campaign for national redemption and economic development. This is as it should be. Less cannot be expected from an assembly of some of the most distinguished and accomplished Nigerians. The legislature has justified its billing as the driving force of our Constitutional democracy, an indispensable element of the democratic heritage and a stickler for probity.*

20. *As a result of our example and dedication, public perception of the legislature has favourably evolved, and old prejudices have dissolved. Dedication, sacrifice and unstinted patriotism have won the Senate new friends in both the general public and civil society. Nigerian democracy has crossed a crucial milestone, and there is ample reason for hope.*

DEVOTING EVEN GREATER ATTENTION TO CORE LAW-MAKING

21. *Distinguished colleagues, my bosses, having thus reinforced respect for parliament through exemplary and symbolic acts of leadership, it is now imperative, beginning from the commencement of the next legislative year, that we devote even greater attention to our core lawmaking mandate. The bill progression chart shows that the 7th Senate has so far passed 31 bills. A total of 110 bills were read for the first time, while 36 bills scaled a second reading.*

22. *But the statistics do not tell the whole story. They do not reveal the rigours and profundity of thought that preceded the passage of each bill. It is not the number of bills passed or public hearings, or ad-hoc committees raised or motions taken that matter, but the robustness and meticulousness of consideration of the bill, and its potential impact on governance, and on the people. Legislatures are deliberative institutions. The critics of this chamber, because there will always be critics, declaim loudly that the National Assembly does not pass enough bills for the concomitant expenditure. I unequivocally refute these charges. The second session of the 7th Senate has recorded major achievements that you can be justly proud of.*

23. *The Senate, through Resolutions, intervened in more than twenty-six topical issues affecting the nation. These range from the unfortunate crashes of the Dana and Allied Airlines aircrafts, to the plight of pensioners. We screened and confirmed Ministerial nominees. A total of 50 petitions were received and several of these have been considered and disposed off.*

WORK YET TO BE DONE: LEGISLATIVE, ECONOMIC AND SOCIAL

24. *Distinguished colleagues, more work however lies ahead, most of which is epochal, and touching on the very core of our existence as a nation. Some of these are-*

- *Extending our parliamentary diplomacy within the African continent, we will be hosting the first Africa Legislative Summit in November, 2013.*
- *Consideration and passage of the Petroleum Industry Bill;*
- *Pensions Reforms Act (Amendment) Bill;*
- *Further review of the 1999 Constitution;*
- *Elimination of All forms of Discrimination and Violence Against Women Bill;*
- *Electoral Act based on lessons from the 2011 election; among many others.*

25. *There can be no doubt that our devotion and commitment to the tasks that lie ahead will favourably impact on the nation, and especially on its economy. It will give the economy a platform for accelerated growth, and complement the administration's efforts to transform it. Both the executive and the legislature are equally challenged on how to translate official growth figures to tangible progress that ultimately improve the living conditions of the ordinary Nigerian. Our relevant committees have the responsibility to deploy the weapon of oversight to ensure that official growth statistics match the reality on the ground. Our efforts can therefore help unlock a new era of opportunity, economic growth and prosperity. A nation as blessed as ours has no business with grinding poverty, and this is why we all must make more concerted efforts to overcome the twin challenges of power generation and insecurity. Once we are able to solve these, our journey to economic renaissance will be smoother.*

SUBMISSION OF THE RECOMMENDATIONS OF THE SENATE COMMITTEE ON THE REVIEW OF THE CONSTITUTION

26. *Just yesterday, the Senate Committee on the Review of the 1999 Constitution submitted its report. It is a historic denouement of several months of painstaking work. Apart from the calls for memoranda as well as the national and zonal public hearings, Senators traversed the nooks and crannies of our constituencies to extract the views of our people on the thematic areas and other matters they wanted to be addressed. Therefore, there is no doubt that the recommendations we have represent the overwhelming views of Nigerians. The Senate Committee on the Review of the Constitution (SCRC) has made*

landmark recommendations that hold great promise for our democracy and federalism. We will debate them vigourously on our return from our short break and adopt the position of the Senate on every issue. In the debate, we will be guided by a deep sense of patriotism, the fear of God and with posterity in mind.

27. *I wish to commend members of the Committee, especially the Chairman who is the Deputy President of the Senate for a job well done.*

28. *Let me note further that whereas we achieved an internationally acknowledged mileage in electoral reforms in the last Senate, elections conducted under the Electoral Act 2010 and the litigations arising from it show that our electoral system still contains some shortcomings that must be addressed. The review will not only involve a further scrutiny of the 1999 Constitution (as amended), but also a careful analysis of the Electoral Act 2010. A sound electoral system is the springboard of every viable democracy. And we are sworn and committed to making our democracy viable and enduring. Therefore, the work of SCRC has not ended. We will also continue to count on the support and goodwill of Nigerians every step of the way.*

NEED FOR COURAGE AND PATROTISM TO CONFRONT OUTSTANDING TASKS UPON RESUMPTION

29. *I trust that upon resumption, we will find the usual courage and patriotism to confront our unfinished tasks. Our nation looks up to us to continue to offer leadership. Time and again, we have demonstrated our capacity to lead through the sobriety, somberness and maturity of our deliberations, and the acuity of our insight. These are the qualities that I exhort you to call in aid when we resume deliberations on these outstanding issues which will not only chart our future as a nation, but will also define our collective destiny. Before I conclude, let me also say that democracy in a multi-cultural and multi-religious society like ours requires accommodation, consensus, tolerance and respect for one another.*

A PARTING HOMILY

30. *As we disperse to our various constituencies, my thoughts and prayers will go with you. Our nation will certainly overcome all our challenges. It is our duty as elected representatives to carry this message of hope to our people.*

CONCLUSION

31. *Let me on our behalf thank the management and staff of the National Assembly, the media, particularly the Senate Press Corps and our Official Reporters for their support.*

32. *Distinguished colleagues, I thank you for your sacrifices and dedication to duty. I wish you a most fruitful short legislative recess, and I hope to see all of us refreshed and recharged in the new legislative year.*

33. *May God continue to bless all of us!*

(Signed)
Senator (Dr) David A.B. Mark, GCON, fnim
PRESIDENT OF THE SENATE

(*Senate Leader*).

Adjourned accordingly at 11:07 *a.m.*

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