FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 47

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Tuesday, 5 November, 2013

1. Prayers
2. Approval of the Votes and Proceedings
3. Oaths
4. Message from the President of the Federal Republic of Nigeria (*if any*)
5. Message from the Senate of the Federal Republic of Nigeria (*if any*)
6. Other Announcements (*if any*)
7. Petitions (*if any*)
8. Matter(s) of Urgent Public Importance
9. Personal Explanation

PRESENTATION OF REPORT

Committee on Health:
Hon. Ndudi Elumelu:
"That this House do receive the Report of the Committee on Health on a Bill for an Act to Provide for the Protection, Promotion and Maintenance of Health in Matters Relating to Housing, Food and Generally for the Protection of the Environment and for the Control of Services, Activities and Other Matters Connected Therewith (HB. 20)" (*Referred*: 18/10/2011).

ORDERS OF THE DAY

MOTIONS

1. **Failure of the Executive to Implement Successive approved Budgets and its Implication on the Nigerian People:**
Hon. Ben Nwankwo

The House:

Notes that the budget is government's most important social contract and economic development tool as it translates government's policies, political commitments and goals into decisions on how much revenue and how to use these funds to meet the nation's competing needs; from providing security to improving healthcare, alleviating poverty and meeting the yearnings and aspirations of the governed;

Further notes that a budget system that functions well is crucial to developing sustainable fiscal policies and economic growth and development of any nation. The importance of the government's budget to the citizenry is predicated on its ability to touch the lives of the people in areas of job creation, provision of infrastructure, enhanced security of lives and property, food security, etc.;

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Aware that given the wide-ranging implications for the citizens of a country, the budget should be the subject of significant scrutiny, relentless debate and vigorous application by the executive which is constitutionally saddled with the function of budget implementation;

Further aware that the executive has always alleged extensive tinkering with the budget by the legislature as the reason behind its failure to implement approved and signed budgets, prompting this August House, in collaboration with the Senate, to pass the 2013 budget almost as presented and with very minimal alterations;

Concerned that the yearly implementation of annual Federal Government budgets in Nigeria is always mired in unnecessary controversy and poor performance by the Executive, accounting for the reason Nigeria has not been able to attain any tangible socio-economic development impacting on the lives of the citizens for a long time;

Recalls that the 2012 Federal budget was very poorly implemented by the executive leading to several expressions of concern and invitations of the Minister of Finance and Coordinating Minister of the Economy, and other key officials of the economic management team for explanations on the reasons behind the poor implementation of the budget;

Further recalls that the 2013 Appropriation Bill was subsequently signed into law by Mr President on Tuesday, 26th of February, 2013, thereby making it a valid Act of the National Assembly, to which every officer or organ of government is bound to obey to the later without any hesitation whatsoever;

Worried that despite the fact that the budget has conclusively become law, thus deserving total obedience and stringent implementation, the executive is once again bent on a replication of its failure to do the right thing by implementing the budget as approved;

Further disturbed that going by the executive's current circus in respect of the 2013 budget, Nigerians are once again facing another year of poor budget implementation, thereby prolonging their forgettable experience of economic and social stagnation which has continued to bedevil the Nigerian system for long.

Resolves to:

Mandate the Committees on Appropriation, Finance and Judiciary to investigate the poor implementation of the 2012 and 2013 budgets and to determine whether the failure to fully implement those budgets do not amount to illegality and gross misconduct as contemplated by Section 143 (2) (*b*) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).

2. **Urgent Need to Forestall the Alleged Plan to Sell the Official Residence of Nigeria's Permanent Representative to the United Nations (UN) in Tarry town, New York:**

Hon. Yakubu Dogara	**Hon. Mustapha Khabeeb**	**Hon. Sokonte Davies**
Hon. Abike Dabiri Erewa	**Hon. Abubakar Momoh**	**Hon. Umar M. Bature**
Hon. Aminu Shehu Shagari	**Hon. Eddie Mbadiwe**	**Hon. Babatunde J. Adewale**
Hon. Yomi Ogunus	**Hon. Samson Osagie**	**Hon. R. Daniel**
Hon. Mohammed M. Ahmed	**Hon. Hussaini Namadi A.**	**Hon. Adewale Rasak Tunde**
Hon. Umar Buba Jibril	**Hon. Garba Datti Muhammed**	**Hon. Muraina S. Ajibola**
Hon. A. T. Sam-Tsokwa		

The House:

Notes that in order to make a dignified presence at the United Nations, the Federal Government embarked on a sound policy to acquire a befitting structure to serve as the official residence of the Permanent Representative of the Permanent Mission of Nigeria to the United Nations, in New York, in 1961;

Further notes that the Government of Sir Abubakar Tafawa Belewa was able to secure a historic edifice which was built in the middle of the 19th Century and lastly owned by the famed Rockefeller family for this purpose;

Aware that the said property sits on an area of over 16.6 acres of land and is located in Tarrytown in Westchester County of New York, an exclusive and exquisite preserve of the ultra-wealthy in New York;

Further aware that all past Permanent Representatives of Nigeria to the United Nations, except for the current Permanent Representative, have lived there and do have very fond and nostalgic memories of their residence in the property. They never expressed any need, whatsoever, to rent other apartments in New York for purposes of residency;

Cognizant that due to a period of deliberate neglect, the property needs some repairs up to the tune of about ₦350,000,000 (Three Hundred Fifty Million Naira), which is about $2,000,000 (Two Million Dollars) only;

Concerned that in a bid to sell off the property very cheaply, an estimated repair bill of ₦2,754,700,000 (Two Billion, Seven Hundred and Fifty Four Million, Seven Hundred Thousand Naira), which is $16,900,000 (Sixteen Million, Nine Hundred Thousand Dollars) has been prepared so that the Government shall be discouraged from carrying out the needed repairs and sell off the property whose prospective buyer is already said to be waiting for the signal to commence purchase processes and payment;

Further concerned that this seems to be the pattern with Nigerian National Landed assets all over the world whose proceeds after sales never come into the coffers of the Government but are usually used to pay for one purported legal debt or the other. Sometimes they are said to be seized by phantom creditors who are said to have rendered one service or the other;

Worried that if this trend is not stopped, we may one day find out that even our Embassies and other diplomatic missions shall be sold and the proceeds frittered away under one flimsy excuse or the other;

Convinced that Nigeria, already enjoying a non-vetoing, non-permanent Security Council set in the United Nations, which is a step towards achieving our desire to secure a permanent Security Council seat, needs a respectable residential address for her Permanent Representative, which Tarrytown provides as, indeed, there are very few addresses more eminent than that in New York.

Resolves to:

(*i*) Mandate the Committee on Foreign Affairs to conduct a Public Hearing into this matter to establish the veracity of these allegations and to report back within one month;

(*ii*) ensure that, as a matter of urgency, adequate resources are allocated in the 2014 Budget to undertake critical and serious repairs and renovations in the property so that the Permanent Representative can swiftly move into the residence and live there;

(*iii*) further urge the Ministry of Foreign Affairs to stop every lease or renting agreements of any apartments, whatsoever, for the Permanent Representative at the expiration of such current leases or renting agreements;

(*iv*) also urge the Ministry to ensure that subsequently all Permanent Representatives reside in the residence since that was the purpose for which it was acquired, in the first place.

3. **Need to Investigate the Destructive Impact of the Lagdo Dam in Cameroon and Its Consequences on Humans, Agriculture, Environment, and Commerce in Nigeria:**
Hon. Robinson Uwak:

The House:

Notes with regret the destruction of lives and properties due to widespread flooding that wreaked havoc in almost two- thirds of the States particularly in Borno, Gombe, Adamawa, Taraba, Benue, and other adjoining states following the release of flood waters from the Lagdo Dam in the Cameroons;

Further notes that the Lagdo Dam, which was built in Northern parts of Cameroon between 1977 and 1982 was originally designed to irrigate about 15,000 hectares of farmland Upstream. However, the government of Cameroon went ahead to restructure the dam for electricity generating urposes, thereby diverting water upstream of the River Benue, and retaining the quantum round the year without due consultation with the Nigerian government;

Informed that given the coordinates of the Lagdo Dam/reservoir, Latitude 8°S3N and Longitude 13°S8E, it lies very close to the Northern border between Nigeria and Cameroon. By implication, this means that a major impact of releasing water from the Lagdo Dam will be felt downstream, which is within Nigerian territory, and the Environmental Impact can be extremely devastating as witnessed in the case of the 2012 floods in several Nigerian States;

Aware that International Law as provided by Article 4(1) of the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses, for which Nigeria and Cameroon are both signatories, establishes that every watercourse State is entitled to participate in the negotiation of and to become a party to any watercourse agreement that applies to the entire international watercourse, as well as to participate in any relevant consultations;

Worried that Nigeria (being the lateral state, which means the final country that discharges the Benue River into the Sea) was not properly consulted by the government of Cameroon before the Dam was constructed. This is in light of The United Nations Convention on the Law of the Non- Navigational Uses of International Watercourses, which provides that every country with a Common River must consider the usage of water in a way that does not adversely affect any countries' socioeconomic and environment wellbeing;

Further worried that Cameroon claims that there was an agreement between the governments of Cameroon and Nigeria, but there is hardly any evidence to this fact. Also there was no thorough Environmental Impact Assessment done before the construction of the Lagdo Dam. This violates the internationally accepted report of the World Commission on Dams (WC D), that If any country wants to build any big Dam it must consult with the country with which the river basin is shared;

Observes that for several years now, the Lagdo Dam incursion and diversion during the dry season and over flooding during the rainy season has negatively affected the economic viability of communities in Nigeria who rely heavily on the River Benue. These impacts include:

(*i*) dwindling fishing communities due to drying up of the Benue River flow in some areas,

(*ii*) reduced water supply to farmers for irrigation in some farming communities,

(*iii*) reduction of Marine transportation for the haulage of goods and services,

(*iv*) the washing away of thousands of hectares of farmlands due to release of excessive water,

(*v*) deaths and destruction of lives and property to the tune of Billions of dollars,

Recent statistics puts the amount of Nigerians whose livelihood has been destroyed by operations of the Dam at approximately 15 million, and it is estimated that the cost of such destruction is over S5 Billion;

Believes that it is in the best interest of Nigeria that the existence of the Lagdo Dam be revisited with the goal of assessing its real socio-economic and environmental impact on Nigeria as well as to demand a proper cause of action, which might include demanding compensation from Cameroon for the affected communities. The Article 7(2) of the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses provides that:

> "*Where significant harm nevertheless is caused to another watercourse State, the States whose use causes such harm shall, in the absence of agreement to such use, take all appropriate measures, having due regard for the provisions of articles 5 and 6, in consultation with the affected State, to eliminate or mitigate such harm and, where appropriate, to discuss the question of compensation*".

Resolves to:

Constitute an *Ad-hoc* Committee with membership drawn from the Committees on Water Resources, Environment, Treaties and Agreement, Foreign Affairs, Agriculture and Rural Development, Emergency and Disaster Preparedness, Science and Technology, Marine Transport and Special Duties to:

(*a*) investigate the level of negligence on the part of the Nigerian government that encouraged Cameroon to construct a Dam that has proven to endanger the lives of Nigerians as well as destroy their livelihood;

(*b*) further investigate and determine the appropriate amount of compensation that Nigeria should demand from the government of Cameroon;

(*c*) determine the impact of the Lagdo Dam on Nigeria's environment, agriculture, commerce, and communities since its construction in view of recommended necessary course of action; and report the House in four (4) weeks.

BILLS

4. A Bill for an Act to Amend the Counterfeit and Fake Drugs and unwholesome Processed Foods (Miscellaneous Provisions) Act, Cap. C34 Laws of the Federation 2004 to increase the Penalties for Offences under the Act, to make Comprehensive Provisions for Asset Forfeiture, compensation and for Other Matters Connected Therewith (HB. 446) — *Second Reading*.

5. A Bill for an Act to Provide for the Prohibition of Monetary Imposition by the Police on any Person who is in Custody before Admission of such Person to Bail, and for Connected (HB. 499) — *Second Reading*.

6. A Bill for an Act to Establish the Chartered Institute of Human Capital Development of Nigeria charged among other things, with the Responsibility of Entrenching Professional Excellence, enhancing competence and setting the Standards for best practices in Learning and Performance among other Human Capital Development Practitioners in Nigeria and for Matters Connected Therewith (HB. 542) — *Second Reading*.

7. A Bill for an Act to Establish Unclaimed and Abandoned Property Trust Fund to be charged with the responsibility of Identifying and Administration of Unclaimed Dividends and Abandoned Property and for Related Matters (HB. 568) — *Second Reading*.

CONSIDERATION OF REPORTS

8. **Committee on Legislative Budget and Research:**
Hon. Michael Opeyemi Bamidele:
"That this House do consider the Report of the Committee on Legislative Budget and Research on a Bill for an Act to Establish an Independent National Assembly Budget and Research Office, which shall provide the National Assembly with objective, timely and Non-Partisan Analysis needed for Economic and Budge decisions and Other Related Matters (HB. 454) and approve the Recommendations therein" (*Laid*: 18/7/2013).

9. **Committees on Information Technology and Justice:**
Hon. Ibrahim Shehu-Gusau:
"That this House do consider the Report of the Committees on Information Technology and Justice ona Bill for an Act to ensure the Continued Free Flow of Business within Nigeria and with its Global Trading Partners through secure Cyber Communications, to Provide for the Continued Development and exploitation of the Internet and Internet Communications for such Purposes, to Provide for the development of a Cadre of information Technology Specialists to improve and Maintain effective Cyber Security Defences against disruption and for Other Matters Connected Therewith (HB. 84) and approve the Recommendations therein" (*Laid*: 30/5/2013).

10. **Committee on Public Petitions:**
***Report of the Petition by the Akwa Ibom Patriotic Citizens Forum*:**
Hon. Uzo Azubuike:
"That this House do consider the Report of the Committee on Public Petitions on the Petition by the Akwa Ibom Patriotic Citizens Forum on Non-Inclusion of Former Niger Delta Agitators from Akwa Ibom State in the Federal Government Amnesty Programme and approve the Recommendations therein" (*Laid*: 15/6/2013).

(*i*) Urge the Federal Government to integrate the One Thousand, Six Hundred and Fifty-Three (1,653) ex-militants from the Akwalbom State into the Amnesty Programme of the Federal Government after proper verification and documentation by relevant Agency of the Federal Government;

(*ii*) urge the ex-agitators to remain law abiding and patriotic citizens of Nigeria.

11. **Committee on Public Petitions:**
***Report of the Petition by over* 5,000 *Ex-Militants in Abia State*:**
Hon. Uzo Azubuike:
"That this House do consider the Report of the Committee on Public Petitions on the Petition byover 5,000 Ex-Militants in Abia State against the Federal Government over their Non-Inclusion in the Federal Government Amnesty Programme and approve the Recommendations therein" (*Laid*: 5/6/2013).

(*i*) Urge the Federal Government to integrate the One Thousand, Eight Hundred and Ninety-Five Thousand (1,895) Ex-Militants from the Abia State into the Amnesty Programme of the Federal Government after proper verification and documentation by relevant Agency of the Federal Government;

(*ii*) urge the Ex-agitators to remain law abiding and patriotic citizens of Nigeria.

12. Committee on Public Petitions:
Report of the Petition by C. O. Edezie:
Hon. Uzo Azubuike:
"That this House do consider the Report of the Committee on Public Petitions on the Petition by C. O. Edezie on behalf of Occupants at No. 41 Kingsway Road and25 Illabere Street, Ikoyi, Lagos against the Federal Government on Alleged Re-Development and Threat of Ejection of Occupants therein and approve the Recommendation therein" (*Laid*: 14/3/2013).

Urge the House to approve the amicable resolution of the matter by the parties and direct that the offer letter be delivered to the real civil servant/sitting tenant of the plots in issue, in the presence of their counsel who represents them at all times in pursuing this matter before the implementation Committeee and this Committee.

13. Committee on Public Petitions:
***Report of the Petition by A. A. Alabi, Gimmy Ayuba, Leo A. Abimbola and I. Y. Kanoba*:**
Hon. Uzo Azubuike:
"That this House do consider the Report of the Committee on Public Petitions on the Petition by A. A. Alabi, Gimmy Ayuba, Leo A. Abimbola knd I. Y. Kanoba against the Federal Civil Service Commission and the Office of the Accountant General of the Federation on wrongful Retirement from Service and approve the Recommendation therein" (*Laid*: 5/6/2013).

Urge the Office of the Accountant General of the Federation (OAGF) and the Federal Civil Service Commission (FCSC) to review the case of the petitioners.

COMMITTEE MEETING

	Committee	*Date*	*Time*	*Venue*
1.	Rules and Business	Tuesday, 5 November, 2013	2.00 p.m.	Committee Room 06 Assembly Complex
2.	Interior (*with National Identity Management Commission*)	Tuesday, 5 November, 2013	2.00 p.m.	Committee Room 327 New Building (House) Assembly Complex
3.	Legislative Compliance (*with MD/CEO Mainstreet Bank Ltd*)	Tuesday, 5 November, 2013	2.00 p.m.	Committee Room 357 New Building (House) Assembly Complex
4.	Legislative Compliance (*with the Controller-General of Prisons Service*)	Tuesday, 5 November, 2013	3.00 p.m.	Committee Room 357 New Building (House) Assembly Complex
5.	Niger Delta Development Commission (NDDC) (*Joint Budget defence with Senate Committee on NDDC with Acting Managing Director of NDDC*)	Tuesday, 5 November, 2013	2.00 p.m.	Senate Room 211 New Building Assembly Complex