SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 13th May, 2014

1. The Senate met at 10:53 a.m. The Deputy Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 6th May, 2014.

Question was put and the Votes and Proceedings were approved.

3. **Message from Mr. President:**
The Deputy Senate President announced that he had received a letter from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

Extension of the Proclamation of State of Emergency:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

May 5,2014

Distinguished Senator David Mark, GCON
President of the Senate,
Senate Chambers,
National Assembly Complex,
Abuja.

Your Excellency,

RE: EXTENSION OF THE PERIOD FOR THE PROCLAMATION OF A STATE OF EMERGENCY IN ADAMAWA, BORNO AND YOBE STATES

May I respectfully draw your attention to the State of Emergency Proclamation 2013, in respect of Adamawa, Borno and Yobe States, which was approved by the National Assembly.

By virtue of the provisions of section 305(6)(c) of the Constitution of the Federal Republic of Nigeria, 1999 as amended, the Proclamation aforementioned would have elapsed after six months from the date of approval of the National Assembly. However, representations were made to the Senate of the Federal Republic of Nigeria to the effect that, while substantial progress had been made to contain the situation and restore normalcy in the affected States, the security situation that necessitated the proclamation of a state of emergency was yet to abate.

It would be recalled that the Senate of the Federal Republic of Nigeria had upon consideration of the realities of the security situation in the affected States that had been placed before it, graciously approved by resolution, the extension of the State of Emergency for a further term of six months from the date of expiration of the subsisting period.

Distinguished Senators, the security situation in the three States remains daunting, albeit to varying degrees, in the face of persistent attacks by members of the Boko Haram sect on civilian and military targets with alarming casualty rates.

In view of the foregoing, I most respectfully request Distinguished Senators to consider and approve by resolution, the extension of the Proclamation of the State of Emergency in Adamawa, Borno and Yobe States by a further term of six months from the date of expiration of the current term.

I look forward, Distinguished Senate President, to the usual kind expeditious consideration of this request by the Senate of the Federal Republic of Nigeria.

Please accept, as always, the assurances of my highest consideration and esteem.

Yours Sincerely,
(Signed)
GOODLUCK EBELE JONATHAN

4. Announcements:

(a) Demise of Senator John Wash Pam:

The Deputy Senate President read a letter from the family of Late Senator John Wash Pam as follows:

DA SENATOR JOHN WASH PAM'S FAMILY

LETTER OF NOTIFICATION

Senator Ike Ekweremadu (CFR)
Karon-Foron

May I use this medium to on behalf of the family of Da Senator John Wash Pam (CON) formally notify you of his passing on into glory.

His transition took place on the 1st day of May 2014 at the National Hospital, Abuja after a protracted illness.

We shall communicate to you the date of his funeral service and final internment in due course.

Thank you and may God bless!
(Signed)
Pastor Nash Joshua Wash Pam
For the Family.

(b) Return of MDGs Forms:

The Deputy Senate President read a letter from Senator Mohammed A. Ndume (*Borno South*) as follows:

FEDERAL REPUBLIC OF NIGERIA
THE SENATE
COMMITTEE ON MILLENNIUM DEVELOPMENT GOALS

May 12, 2014

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

RETURN OF FORMS FOR MDG SPECIAL PROJECTS, 2014

The Committee writes to inform Distinguished Senators that the process of collation of the forms had commenced.

Distinguished colleagues are requested to return their completed forms to the Committee Secretariat at Room 1.1c, Senate Wing, White House on or before Thursday, May 15, 2014.

While the Committee appreciates your usual cooperation, please accept the assurances of our esteemed thanks and best wishes.

Yours Sincerely,
(Signed)
SENATOR MOHAMMED ALI NDUME
Chairman

(c) ***Administration of Criminal Justice Bill:***
The Deputy Senate President read a letter from Senator Ita S. J. Enang (*Akwa Ibom - North-East*) as follows:

THE SENATE
FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON RULES AND BUSINESS
NATIONAL ASSEMBLY COMPLEX

The Senate President,
Distinguished Senators,

RE: ADMINISTRATION OF CRIMINAL JUSTICE BILL

The within-named Bill is hereby again circulated for Senators attention and perusal because of the volume.

The Bill will by His Grace be scheduled again for tomorrow, Wednesday 14th May, 2014 for 2nd reading please.

(d) ***Meeting:***
The Deputy Senate President read a letter from Senator Ahmad I. Lawan (*Yobe North*) as follows:

ANNOUNCEMENT

There will be a meeting of the Northern Senators Forum (NSF):

Date: *Today, Tuesday, 13th May, 2014*

Venue: *Hearing Room 1, Old Wing Senate Building, NASS*

Time: *8:00 pm Prompt*

(Sign)
Senator Ahmad Lawan
Secretary

5. Petition:
Rising on Rule 41, Senator Ayo P. Akinyelure *(Ondo Central)* drew the attention of the Senate to a petition from his constituent, Omolara A. Oyinlola, on the wrongful termination of her appointment by the National Examination Council (NECO). He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions to be Chaired by the Vice Chairman [Rule 41(3)].

6. Presentation of Bill:
National Tobacco Control Bill 2014 (SB. 477) — *Read the First Time.*

7. Motions:
(a) ***The Demise of Senator John Wash Pam:***
Motion made: That the Senate notes with heavy heart, the death of former Senator John Wash Pam, the Deputy President of Senate in 2nd Republic and a pioneer member of the People Democratic Party (PDP) who died on Thursday, 1st May, 2014 at the age of 73years;

notes also that Senator John Wash Pam was born on 22nd October, 1940 in Foron District of Barakin -Ladi Local Government Area of Plateau State;

observes that Senator John Wash Pam had his early life including Primary School at Foron, he attended the prestigious Boy's Secondary School Gindiri and later Kings College Lagos where he obtained the Higher School Certificate (HSC) in 1962 and later proceeded to Ahmadu Bello University as one of the early students of the Institution for his Bachelor Degree in International Affairs which he obtained in 1966;

observes also that Senator John Wash Pam was a devout Christian who was unwavering in his commitment to his faith and was an outstanding politician;

observes further that Senator John Wash Pam's political career began in 1976 when he was elected a Councillor in Barkin-Ladi Local Government Area of Plateau State and in 1979 when he was elected the Deputy President of Senate of the Federal Republic of Nigeria;

aware that Senator John Wash Pam served the country in various capacities thus: Member, Barkin Ladi Local Government Council, Plateau State of the Federal Republic of Nigeria 1976 - 1977; Member, Constituent Assembly of the Federal Republic of Nigeria1977 -1978; Senator and Deputy President of Senate of the Federal Republic of Nigeria 1979 -1983; Member, Constitutional Conference of Nigeria, Abuja and Deputy Leader Business Committee; Chairman, Implementation Committee of the Constitutional Conference 1995 -1996; Member, Transition Implementation Commission (TIC) of Nigeria; Abuja Supervising North Central Zone 1996 -1998; Chairman, People's Democratic Party Electoral Panel, Osun State, Nigeria. December 2002 - January, 2003; Member, Presidential Advisory Committee on Jos Crisis, February -April 2010;

convinced that late Senator John Wash Pam was a nationalist, an icon whose life was a remarkable life of service, achievement and fulfillment. He was a detribalized Nigerian who always considered the interest of all others all his life, he was conferred with the National Honour of Commander of the Order of Niger (CON); and

aware that late Senator John Wash Pam was a generous family man, an advocate of peace and social Justice, whose death is a great loss not only to his people in Plateau but the nation as a whole.

Accordingly resolves to;

(*i*) observe one minute silence in honour of late Senator John Wash Pam;

(*ii*) condole with the family of late Senator John Wash Pam, the people and government of Plateau State; and

(*iii*) send a high powered delegation to represent the Senate at the burial (*Senator Joshua C. Dariye — Plateau Central*).

Debate:

Proposed Resolution (i):
Question: That the Senate do observe one minute silence in honour of late Senator John Wash Pam — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do condole with the family of late Senator John Wash Pam, the people and government of Plateau State — *Agreed to.*

Proposed Resolution (iii):
Question: That the Senate do send a high powered delegation to represent the Senate at the burial — *Agreed to.*

Resolved:
That the Senate do:

(*i*) observe one minute silence in honour of late Senator John Wash Pam;

(*ii*) condole with the family of late Senator John Wash Pam, the people and government of Plateau State; and

Legal Icon, Justice Chukwudifu Oputa on Sunday, 4th May, 2014 at the ripe age of 90;

notes also that the late Justice Oputa was born on September 22nd, 1924 into the family of Chief Oputa Uzukwu of Oguta, Imo State;

notes further that he attended the Sacred Heart School, Oguta; Christ the King College, Onitsha for his secondary education and later, Higher College, Yaba. He was also a student of Achimota College, Ghana from where he proceeded to the University of London, England and was subsequently called to the English Bar, the Gray's Inn London in 1953. Ten years later he was appointed a judge of the then Eastern Region of Nigeria;

observes that Justice Oputa served the country diligently in many capacities even before the attainment of independence. He was a member of the University of Nigeria Nsuka Governing Council between 1960 and 1966, counsel Harcourt Inquiry 1959, counsel Oguta Chieftaincy Dispute, counsel Obudu Chieftaincy Dispute 1960, Chancellor Imo State University and was a member of defunct Eastern Nigeria Marketing Board between 1958 and 1965;

observes also that Justice Oputa was appointed Chairman Commission of Inquiry into Structure of Customary Courts in former Eastern Nigeria in 1967 and Chairman, Commission of Inquiry into Abakaliki Nkpuma Akpatakpa Disturbance in 1973;

observes further that the judicial career of Justice Chukwudifu Oputa spanned 36 years through four regions, states and territories until his retirement from the Supreme Court in 1989 at the age of 65, his exploits at the Supreme Court earned him the name "Socrates of the Supreme Court". His judgments were a compendium of well researched and deep philosophical thinking;

notes that at the Supreme Court, Justice Oputa continued to manifest his profound intellect for equity and justice in his balanced judgements. He was a principal participant in the Golden Age of the court when the Supreme Court earned a reputation for itself as a veritable citadel of adjudicatory excellence and integrity;

aware that as a result of his untainted reputation in the Legal profession and the enormous respect he commands throughout Nigeria, he was given another daunting national assignment under the new democratic dispensation as Chairman of the Human Rights Violations Investigation Commission by President Olusegun Obasanjo on the 4th of June, 1999;

observes that Justice Oputa's versatility as an author traversed legal and other fields of human endeavour and he has so many landmark publications to his credit;

observes also that Justice Oputa was a devout Christian from his childhood who found himself increasingly engrossed in spiritual research and reflection. Little wonder he was often referred to as Justice Oputa "the Evangelist";

convinced that the late Justice Chukwudifu Oputa was a nationalist, an icon whose life was a remarkable life of service, achievement and fulfilment. He was a selfless and detribalised Nigerian who always considered the interest of all no matter their circumstances. In appreciation of his meritorious service to this country, he was conferred with the National honour, Commander of Federal Republic (CFR) by the Federal Government; and

aware that the demise of late Justice Chukwudifu Oputa is a monumental loss. He will not only be missed by his family, his people in Imo West Senatorial district but the entire Nigeria.

Accordingly Resolves to;

(*i*) observe a minute silence in honour of Late Justice Chukwudifu Oputa;

(*ii*) consider late Justice Chukwudifu Oputa as a fit and proper person to be immortalized by the Federal Government; and

(*iii*) send a high powered delegation to represent the Senate at the burial and to condole and commiserate with the family, people and government of Imo State (*Senator Hope Uzodinma — Imo West*).

Debate:

Proposed Resolution (i):
Question: That the Senate do observe a minute silence in honour of Late Justice Chukwudifu Oputa — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do consider late Justice Chukwudifu Oputa as a fit and proper person to be immortalized by the Federal Government — *Agreed to.*

Proposed Resolution (iii):
Question: That the Senate do send a high powered delegation to represent the Senate at the burial and to condole and commiserate with the family, people and government of Imo State — *Agreed to.*

Resolved:
That the Senate do:

(*i*) observe a minute silence in honour of Late Justice Chukwudifu Oputa;

(*ii*) consider late Justice Chukwudifu Oputa as a fit and proper person to be immortalized by the Federal Government; and

(*iii*) send a high powered delegation to represent the Senate at the burial and to condole and commiserate with the family, people and government of Imo State ***(S/Res/042/03/14)***.

One minute silence accordingly observed in honour of the deceased.

8. Confirmation of Nomination

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the confirmation of Prof. Jummai A. M. Audi as a Commissioner of the Nigerian Law Reform Commission (NLRC)(*Senate Leader*).

10. **Committee on Agriculture and Rural Development:**
Report on the Animal Health and Husbandry Technologists (Registration, etc) Bill, 2014 (SB.161):

Consideration of Report deferred to another Legislative Day.

11. **Criminal Procedure Act, CAP C41 LFN 2004, Criminal Procedure (Northern States) Act CAP C42 LFN, the Administration of Justice Commission Act CAP A3 LFN 2004 (Repeal and Re-enactment) Bill 2014 (HB. 433):**

Consideration of Bill deferred to another Legislative Day.

12. **War Crimes Bill 2014 (SB. 183):**

Consideration of Bill deferred to another Legislative Day.

13. **Adjournment:**
Motion made: That the Senate do now adjourn till Wednesday, 14th May, 2014 at 10.00 a.m. *(Senate Leader).*

Adjourned accordingly at 12:28 *p.m.*

Ike Ekweremadu, CFR
Deputy Senate President,
Senate of the Federal Republic of Nigeria.