THE SENATE
FEDERAL REPUBLIC OF NIGERIA
ORDER PAPER

Tuesday, 1st July, 2014

1. Prayers

2. Approval of the Votes and Proceedings

3. Oaths

4. Announcements (if any)

5. Petitions

PRESENTATION OF BILLS

1. Loan (State Development) Act CAP L16 LFN 2011 (Repeal) Bill 2014(SB. 496) -*First Reading*
Sen. Ali Atai Aidoko *(Kogi East)*

2. Family Economic Advancement Programme (Establishment etc.) Act CAP F3 LFN 2011 (Repeal) Bill 2014 (SB. 497) -*First Reading.*
Sen. Ali Atai Aidoko *(Kogi East)*

3. Family support Trust Fund Act CAP F4 LFN 2011 (Repeal) Bill 2014 (SB. 498) -*First Reading*
Sen. Ali Atai Aidoko *(Kogi East)*

PRESENTATION OF A REPORT

1. *Report of the Conference Committee on the Prisons Act* CAP P29 LFN, 2004 (Repeal and re-enactment) *Bill 2014(SB. 42).*
Sen. Abubakar A. Bagudu *(Kebbi Central).*
"That the Senate do receive the report of the Conference Committee on the Prisons Act CAP P29 LFN, 2004 (Repeal and re-enactment) Bill 2014 (SB 42)" - *To be laid.*

ORDERS OF THE DAY

MOTION

1. Impending Border Crises between Nigeria and Cameroun in Boki Local Government Area of Cross River State.
Senator Victor Ndoma-Egba OFR, CON, SAN (Senate Leader)

THE SENATE,

NOTES with anxiety the recent activities of the Joint Technical Team, a sub body of the Nigeria-Cameroon Mixed Commission mandated to carry out field work to trace, ascertain and reinforce the boundary points between the two countries who went to the villages of Danare and Biajua in Boki Local Government in Central Senatorial District of Cross River State aided by Nigerian soldiers to arbitrarily enforce demarcation of the boundary between the two countries in that sector;

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NOTES with concern that on the two occasions the exercise was attempted in the area, there was no representation from Cross River State in the UN team led by a Zimbabwean national, Mr. Paul Mbaya and at the moment, Cameroonian security forces are guarding their border communities but there is no security presence on the Nigerian side;

RECALLS that on 10th October, 2002, the International Court of Justice (ICJ) to which Nigeria had subjected itself gave judgment in the matter of the land and maritime boundary dispute between Nigeria and Cameroun. In its verdict, the ICJ awarded ownership of Bakassi Peninsula to Cameroon in spite of the strong historical, cultural and legal arguments put forward by Nigeria, a decision that has been trailed by much controversy to this day;

AWARE that based on the ICJ ruling, the Nigeria-Cameroon Mixed Commission was set up under the auspices of the United Nations to give effect to the judgment and carry out detailed demarcation of the boundary between the two countries from Lake Chad to the Atlantic Ocean;

AWARE also that the ICJ judgment did not provide for land demarcation in southern Nigeria but expressly ruled on the maritime boundaries, therefore the land demarcation exercise in Cross River State is contrary to the ICJ judgment;

OBSERVES that while the borders between the two countries have been successfully demarcated in some sectors, particularly at the Lake Chad and Bakassi sectors, the demarcation exercise is still ongoing in other sectors and is currently centered around the Danare-Biajua sector in Boki Local Government of Cross River State;
OBSERVES further that since the ICJ judgment recognized the Anglo-German boundary of 1913 as the boundary between the two countries in the Danare-Biajua sector, the job of the Joint Technical Team in this sector would be to trace and locate the boundary pillars identified as pillars 109, 110, 111, 112, 113, 113A and 114 planted under the Anglo-German agreement a century ago in order to reinforce it;

CONCERNED that while pillars 109, 110, 111, 112, 113, and 114 have been successfully traced with the cooperation of the villagers on both sides of the boundary, pillar 113A which falls between pillars 113 and 114 and which is critical in determining the direction of the boundary is yet to be located;

WORRIED that while the Danare and Biajua communities on the Nigerian side that have lived with this boundary line for over centuries suggested that pillar 113A should be looked for some 9.6km towards a village called Baje in Cameroun from which location the boundary takes a bearing back to pillar 114 at Agbokim in Etung Local Government of the State, the Joint Technical Team opted to project pillar 113A to fall on a general straight line direction between pillars 113 and 114. This approach cedes some vital forest area and farmlands of the Nigerian Communities to Cameroun. So ridiculous is this projection by the Joint Technical Team that if implemented even the government health center built by the Cross River State Government in Danare will fall into Cameroun territory and by the time the exercise ends at the Atlantic Ocean, Cross River State would have lost substantial territory in addition to Bakassi to the Camerouns;

DISTURBED that rather than explore the area to find pillar 113A following the pointers from the villagers, the Joint Technical Team took a short cut approach and has gone ahead to chart a straight line projection between pillars 113 and 114 which it attempted to enforce using armed soldiers before they were prevented by the villagers. This short cut approach of the Joint Technical Team without exhausting all options to find pillar 113A and without due consideration to the justice of the matter, the economic interest of the people, known traditional boundaries and communal affiliations is hasty, insensitive and a potential time bomb capable of generating confusion and crises in the area if not checked;

ALARMED that if pillar 113A is not located, the projected demarcation will cede from Obudu Cattle Ranch in Obanliku Local Government Area through parts of Boki, Etung, Ikom, Obubra, Akamkpa and Akpabouyo Local Governments, all in Cross River State to Cameroun;

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NOTES that relying on the Anglo-German boundaries of 1913 in the demarcation exercise is a miscarriage of justice considering that this boundary line was vitiated by the Treaty of Bassaile after the First World War and it is unacceptable to even use it for the current exercise;

NOTES also that the border demarcation exercise as currently conducted in this sector is contrary to Article 8 (2) (a-e) of the United Nations Declaration on the rights of indigenous people which is unambiguous on the procedure for ceding territories;

NOTES further that it is indeed a sad commentary and a dangerous precedent for the country to be ceding its mineral rich territories voluntarily and putting its citizens in jeopardy emotionally, physically, socially and economically at a time when other nations would in principle go to war to maintain its sovereignty even over barren territories;

RECALLS that on 22nd November, 2007, the Senate in its resolution (S.Res/033/07) drew the attention of the President of the Federal Republic of Nigeria to the fact that the transfer of Bakassi or any other part of Nigeria to Cameroun under the Green Tree Agreement of June 12, 2006 without ratification by the National Assembly as required under section 12(1) of the 1999 Constitution is unconstitutional. Nevertheless, on August 14th 2008, the Federal Government in total disregard of the Senate resolution transferred Bakassi to Cameroun. That agreement has still not been ratified;

DISTURBED that the ceding of Bakassi brought and has continued to bring untold hardship to indigenes of the peninsula who had to be relocated to a land locked area and lost not only their ancestral homes but their primary means of livelihood which is fishing and who despite Federal Governments assurances are yet to be fully compensated and integrated in their new settlement;

DISTURBED further that with the ceding of Bakassi, Cross River State lost much of its revenue accruals and it will be preposterous for the state to be made to lose its natural forest reserves and tourism potentials which is now the main stay of the State's economy and it is incumbent on this hallowed Chambers to reject in totality any further conspiracy against Nigeria and particularly, Cross River State and its people who have already sacrificed so much for the nation;

OBSERVES that the apparent bid of the Joint Technical Team to forcibly demarcate the boundary in line with their arbitrary straight line projection, escorted by trucks load of soldiers was genuinely construed by the villagers as an indication that the Federal Government has ceded their territory to Cameroun and has sent soldiers to enforce it as it did in Bakassi and there was every reason for the communities involved to be apprehensive;

WORRIED that the recent provocative activities around the Danare sector in Boki Local Government Area of Cross River State of the Joint Technical Team, is a deviation from the international boundary they are meant to trace and reinforce and therefore a conspiracy and calculated attempt to once again undermine the sovereignty of Nigeria and cede its productive lands and territory to Cameroun;

WORRIED further that the recent face-off between the villagers and the Joint Technical Team may escalate to a major crises if the Joint Technical Team further attempts to forcibly demarcate the boundaries without recourse to finding pillar 113A;

RECOGNISING that notwithstanding the Anglo German boundary that partitioned these communities, the communities on both sides of the Nigeria-Cameroun boundary in this sector are actually one people i.e. Boki tribe with common language and culture. The bond between the communities is so strong that despite the international boundary, they have continued to live by and respect their own traditional boundaries established long before the advent of the Anglo-German Agreement;

Accordingly resolves that the Senate do:

i. **Condemn in strong terms the attempt to cede parts of Danare and Biajua communities of Boki Local Government and indeed any other part of Nigeria to Cameroun based on an imaginary projection of the Joint Technical Team and in disregard to Section 12(1) of the 1999 Constitution as amended.**

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ii. Urge the Attorney-General of the Federation to ensure a more effective supervision of the boundary demarcation exercise to forestall the country being shortchanged under any guise in the exercise.

iii. Urge the Federal government in collaboration with the local communities and their Cameroonian counterparts to take all necessary steps to locate pillar 113A which is critical in determining the boundary.

iv. Urge the Federal government where pillar 113A is not found to insist on a negotiated boundary line that will largely follow the clear and mutually revered traditional boundaries of the villages on both sides.

v. Urge the Federal government to take measures to protect the border communities and be circumspect in mobilizing Nigerian troops in the area in order not to escalate hostilities in the sector.

2. The demise of ALHAJI ADO BAYERO, the Emir of Kano (1963 -2014)
Senator Hayatu Bello Gwarzo, CON *(Kano North)*
Senator Basheer Garba Mohammed
Sen Kabiru Gaya

THE SENATE,

Notes with grief the passing away of the late elder Statesman Alhaji Ado Bayero the 13th Emir of Kano on Thursday, 6th June, 2014 at the ripe age of 83 who has since been buried according to Islamic rites;

Notes also that the late Emir was born on July 25, 1930.He began his early education in Islamic knowledge after which he attended Kano Middle school He graduated from the School for Arabic Studies in 1947 and later went to Zaria Clerical College in 1952;

Observes that Alhaji Ado Bayero worked as a Banker, Police officer, Member of parliament and diplomat. He was former ambassador to Senegal, the position he held at the time of his appointment as Emir of Kano;

Observes also that Alhaji Ado Bayero was named Emir in 1963 by the Northern Region Government to succeed Alhaji Muhaammadu Inuwa who reigned for six months;

Observes further that Alhaji Ado Bayero upon his turbaning quickly established himself as a wise manager of human affairs in a huge cosmopolitan city that Kano has developed into. His astuteness earned him the sobriquet *"Damo Sarkin Hakuri"* by his admiring subjects, and the respect and appreciation of virtually every segment of his vast domain and beyond;

Aware that the greatest characteristics of the late Alhaji Ado Bayero were the friendship he cultivated across religion, ethnic and regional devide throughout his reign and the period witnessed phenomenal changes in the economic, educational, infrastructural and social life of Kano;

Notes that it is the dignity and wisdom that Emir Ado Bayero brought to bear in the administration of the Emirate that invested his reign with much respect and admiration, and a grateful nation bestowed on him a national honor of the Commander of the Federal Republic (CFR);.

Notes further that the late Emir Alhaji Ado Bayero will no doubt be fondly remembered for having kept faith as custodian of the rich culture and tradition of Kano and preserver of the emirate as a great centre of Islamic teaching and learning;

Observes that the demise of the late Emir of Kano is a monumental loss. He will not only be missed by his family, his people and the entire Kano state but Nigeria as a whole.

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Accordingly resolves to:

i. **Observe a minute silence in honour of the late Emir, Alhaji Ado Bayero.**

ii. **Send a delegation to commiserate with his family, people and Government of Kano State.**

CONSIDERATION OF A BILL

1. **A Bill to repeal the nuclear safety and radiation protection Act CAP N142 LFN 2011 and Re-enact an Act to Prohibit Biological, Chemical and Nuclear (BCN) Weapons; Establish the Regulatory Authority to regulate Biological, Chemical and Nuclear Materials in accordance with International Conventions and for other matters connected therewith 2014 (SB. 491) -*Second Reading.***
Sen. Helen Esuene *(Akwa Ibom South)*

CONSIDERATION OF REPORTS

1. *Report of the Conference Committee on the Federal Capital Territory College of Education (Est, etc) Bill 2014 (SB. 27).*
Sen. Uche Chukwumerije, CON *(Abia North).*
"That the Senate do consider and approve the report of the Conference Committee on the Federal Capital Territory College of Education (Est. etc) Bill 2014 (SB 27)".

2. **Report of the Committee on National Planning, Economic Affairs and Poverty Alleviation**
Screening of Nominees
Sen. Barnabas Gemade *(Benue North East)*
"That the Senate do consider the report of the Committee on National Planning, Economic Affairs and Poverty Alleviation on the screening of DR. CASMIR ANYANWU *(Imo State)* and MR. KEN KAYAMA *(Bayelsa State)* for appointments as Members of the Revenue Mobilization, Allocation and Fiscal Commission and approve the recommendations therein".

3. **Report of the Joint Committees on the Review of the 1999 Constitution and Independent National Electoral Commission.**
Electoral Act 2010 (Amendment) Bill 2014 (SBs. 455, 266, 379 and 298)
Sen. Ike Ekweremadu, CFR *(Enugu West).*
Sen. Andy Uba, MFR *(Anambra South).*
"That the Senate do consider the report of the Joint Committees on the Review of the 1999 Constitution and Independent National Electoral Commission on the Electoral Act 2010 (Amendment) Bill 2014 (SBs. 455, 266, 379 and 298).

4. **Report of the Committee on the Federal Capital Territory**
Federal Capital Territory Appropriation Bill 2014- (SB. 465)
Sen. Smart Adeyemi CON *(Kogi West)*
"That the Senate do consider the report of the Committee on the Federal Capital Territory on the Federal Capital Territory Appropriation Bill 2014 - (SB. 465)".

5. **Report of the Committee on Agriculture and Rural Development**
Animal Health and Husbandry Technologists (Registration, etc.) Bill 2014 (SB. 161).
Sen. Emmanuel Bwacha, CON *(Taraba South).*
"That the Senate do consider the report of the Committee on Agriculture and Rural Development on the Animal Health and Husbandry Technologists (Registration, etc.) Bill 2014 (SB. 161)".

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COMMITTEE MEETINGS

	Committee	*Date*	*Time*	*Venue*
1.	Rules and Business	Tuesday, 1st July, 2014	2.00pm	Committee Room 107 Senate New Building
2.	Public Accounts	Tuesday, 1st July, 2014	2.00pm	Senate Hearing Room 4
3.	Niger Delta	Tuesday, 1st July, 2014	1.00pm	Committee Room 443 Senate New Building
4.	Science and technology, Judiciary, Human Rights & Legal Matters	Tuesday, 1st July, 2014	2 .00pm	Committee Room 117 Senate New Building
5.	Banking, Insurance and Other Financial Institutions and Finance	Tuesday, 1st July, 2014 *(Screening)*	2 .00pm	Meeting Room 107 Senate New Building
6.	Finance	Tuesday, 1st July, 2014	2 .00pm	Committee Room 327 Senate New Building
7.	Education	Tuesday, 1st July, 2014	2 .00pm	Committee Room 323 Senate New Building
8.	Banking, Insurance and Other Financial Institutions and Finance	Wednesday, 2nd July, 2014 *(Joint Committee)*	1 .00pm	Meeting Room 107 Senate New Building

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