

**HOUSE OF REPRESENTATIVES OF THE FEDERAL REPUBLIC OF
NIGERIA**

**REPORT OF THE HOUSE DELEGATION TO KOGI STATE HOUSE OF
ASSEMBLY**

ON

**THE ALLEGED ILLEGAL REMOVAL OF THE SPEAKER OF KOGI
STATE HOUSE OF ASSEMBLY**

RESOLUTION NO: (HR.44/2016)

FEBRUARY 25, 2016

House delegation to the Kogi State House of Assembly on
the alleged illegal removal of the Speaker.

Page 1

1.0 Preamble

The foundation of any democratic government is the existence of the legislature. The legislature is the law-making organ of the government while the other arms are the Executive and the Judiciary. Following the crises in the Kogi State House of Assembly, resulting in the removal of the Speaker, the House underscored the sanctity of the institution and assumed the powers as provided in the 1999 Constitution of the Federal Republic of Nigeria as amended sequel to a motion sponsored by Hon. Karimi Steve Sunday on the “Alleged Illegal Removal of the Speaker of Kogi State House of Assembly” with a view to ascertaining the purported removal of the Speaker and look into the affairs of the Kogi State House of Assembly aimed at restoring normalcy in the House and to ensure adherence to the rule of law, at its session of Tuesday, 23 February, 2016 (House Resolution No. HR.44/2016). The Hon. Speaker constituted the delegation to Kogi State House of Assembly as follows:

- | | |
|-----------------------------------|-----------------------|
| 1. Hon. Pally Iriase | -Leader of delegation |
| 2. Hon. Zakari Mohammed | - Member |
| 3. Hon. Jimoh Abdulraheem Olajide | - member |
| 4. Hon. Abdussamad Dasuki | - Member |
| 5. Hon. Nnenna Ukeje | - Member |
| 6. Hon. Halliru Dauda Jika | - Member |
| 7. Hon. Sunday Adeyemi Adepoju | - Member |
| 8. Hon. Pwajok Edward Gyang | - Member |

- | | | |
|-------------------------|---|--------|
| 9. Hon. Obinna Chidoka | - | Member |
| 10. Hon. Bassey Eko Ewa | - | Member |

1.1 Terms of Reference:

The Committee, at its inaugural meeting considered the Votes and Proceedings of Tuesday, 23 February, 2016 and extracted the following as the delegation's mandate:

- (i) To ascertain the unconstitutional removal of the Speaker or otherwise and look into the affairs of the Kogi State House of Assembly with the aim of restoring normalcy in the House, ensure adherence to the rule of law and forestall the denigration of the legislature as an appendage of the executive, if any.

1.2. METHODOLOGY

In executing the important assignment before it, the delegation employed the following modes of operation:

1.2.1 Meetings of members of the delegation;

1.2.2 Notification of visit to Stakeholders;

1. The Governor of Kogi State.
2. Hon. Momoh Jimoh Lawal and his group.
3. Hon. Umar Imam and his group.
4. Clerk of the Kogi State House of Assembly.
5. Kogi State Commissioner of Police.
6. State Director of Department of Security Services (DSS);
7. Assistant Commissioner of Police, David Dantata Dangiwa, ACP OPS

1.2.3 Visit to Lokoka, Kogi State on Thursday, 25 February, 2016 where the delegation met with the Governor of Kogi State at the Government House; Alhaji Momoh Jimoh Lawal and his group at the premises Kogi State House of Assembly; Kogi State Commissioner of Police and State Director of Department of Security Services (DSS) at the Office of the Police Commissioner; Assistant Commissioner of Police, David Dantata Dangiwa, ACP OPS at the premises of Kogi State House of Assembly ; and

1.2.5 Review meetings by members of the delegation.

2.1. STAKEHOLDERS NOTIFIED AND ATTENDED.

1. The Governor of Kogi State.
2. Hon. Momoh Jimoh Lawal and his group
3. Kogi State Commissioner of Police.
4. Kogi State Director of Department of Security Services (DSS).
5. Assistant Commissioner of Police, David Dantata Dangiwa, ACD OPS

2.2 STAKEHOLDERS NOTIFIED BUT DID NOT APPEAR.

1. The Clerk of the Kogi State House of Assembly.
2. Hon. Umar Imam and his group- citing nonexistent court injunction stopping the delegation from visiting the Kogi State House of Assembly which was not served on the delegation.

3.0 THE DELEGATION'S VISIT

The Leader of the delegation made it pointedly clear to the stakeholders that the visit was a fact finding mission to ascertain the nature and extent of the crises rocking the State House of Assembly with a

view to averting any act that may result in the breakdown of law and order in the State, and to restore normalcy in the State House of Assembly.

4.0 SUMMARY OF PRESENTATIONS:

For clarity, the presentations have been articulated and outlined below:

4.1 The Governor of Kogi State.

In his submission, the Governor maintained that he has no hand in the crises rocking the State House of Assembly and that he had, severally reiterated his readiness to work harmoniously with the State House of Assembly.

He submitted as follows:

1. That he has not tried to influence the decision of the house as he was new in the office and does not have any prior relationship with the members of the state House of Assembly other than to work for the good of the entire state in line with his oath of office.
2. That there have always been crises in the State House of Assembly even before he assumed office.
3. That there is lopsidedness in the distribution of power between the major tribes in the state - the Governor and the Speaker are co-incidentally from the same local government area.
4. That he was deliberately misled by Hon. Momoh Jimoh Lawal who willingly accepted to resign his position as Speaker and gave names of his possible successor and other principal

officers of the House only for him to incite his group to renege on the promise in his desperate bid to cling unto power in the heat of the crises at the State House of Assembly.

4.2 Hon. Momoh Jimoh Lawal and his group of fifteen (15) House of Assembly members.

The group traced the background of the crises rocking the State House of Assembly to the desire of the Governor of the State, His Excellency, Alhaji Yahya Bello to install Hon. Umar Imam as the speaker of the State House of Assembly against the extant rules of the House of Assembly and the Constitution of the Federal Republic of Nigeria.

The group's submissions are as follows:

1. That there was an understanding to change the leadership of the State House of Assembly in order to comply with section 14 (3) Constitution of the Federal Republic of Nigeria 1999 as amended.
2. That such decision to change its leadership should be left to members of the House and should be in full compliance with the rules of the House and the Constitution of the Federal Republic of Nigeria, 1999 as amended.
3. That the state House of Assembly is presently constituted of 20 members.
4. That Peoples' Democratic Party (PDP) constitutes the majority in Kogi State House of Assembly.
5. That there was no plenary on the Tuesday 16 February, 2016 as there was an earlier proclamation by the Speaker suspending sitting till Thursday 18 February, 2016 dated 15th February 2016.

6. That the meeting of the five (5) members that purportedly impeached the Speaker was not held in the chambers of the State House of Assembly but in the office of one Hon. Friday Sani (Makama).
7. That the purportedly elected Speaker, Hon. Umar Imam was sworn in at the office of the Deputy Governor of the State contrary to the provisions of the House Rules and a flagrant disregard to the tenets of separation of powers.
8. That the government actively provided armed security to the group of five (5) led by Hon. Umar Imam who barricaded and prevented other members (the group of fifteen led by Hon. Momoh Jimoh Lawal) from entering the Assembly complex. The armed security was led by Assistant Commissioner of Police, David Dantata Dangiwa, ACD OPS.
9. That official and personal vehicles of Hon. Momoh Jimoh Lawal were towed away by the police and his security details withdrawn.
10. That the Kogi State House of Assembly is presently under lock and key.

5.3 Kogi State Commissioner of Police and State Director of Department of Security Services (DSS)

The security agencies in the State led by the State Director, Department of Security Services (DSS) as the Commissioner of Police was only a week in the state, presented as follows;

1. The State House of Assembly has been in serious political turmoil which has persisted from the previous Assembly and divided into two camps.
2. That key members of the State House of Assembly are prone to violence and can switch loyalty based on political expediency and balance of interest at any time.

3. That there is the need for power realignment for political balancing in the state which, if not tackled, will lead to violence and breakdown of law and order.
4. That the Department of Security Services (DSS) were not informed of any change in the leadership of the State House of Assembly.

4.4 Assistant Commissioner of Police, David Dantata Dangiwa, ACP OPS.

The Chief Security Officer attached to the State House of Assembly presented as follows;

That some members approached him in the premises of the State House of Assembly with an unsigned paper that the Speaker had been impeached which he reported to the former State Commissioner of Police. He was ordered to tow the Speaker's (Hon. Momoh Jimoh Lawal) official vehicles (3 nos.) to the Government House and withdraw the Policemen (5nos.) attached to him, which he complied with.

5.0 FINDINGS/ OBSERVATIONS

1. The Kogi State House of Assembly has not been able to perform its legislative function as a result of the lingering crises rocking the House as confirmed by all the stakeholders in the state.
2. The House has been under lock and key since the suspension of plenary on February 15, 2016 as none of the groups has held any meeting in the hallowed chambers of the State House of Assembly.
3. There is palpable tension and apprehension of possible security breach which could be highly volatile if not handled with care

because of ethnic distrust nature of the state as confirmed by security reports. This is further exacerbated by the unsettled matters arising from the governorship election.

4. The division in the Kogi State House of Assembly cuts across party line and it is prone to violence and insecurity.
5. The leader of the group of 15 (fifteen) Hon. Momoh Jimoh Lawal, played an intriguing role as he deliberately misled the group into avoidable collision course with the Governor.
6. It is unacceptable for 5 (five) members to have attempted to remove the Speaker in a House currently constituted of 20 (twenty) members and the 5 members did not sit in the Chambers of the House of Assembly to perform their legislative function.
7. It is condemnable that the group of 5 (five) led by Hon. Umar Imam could rely on a nonexistent injunction to attempt to scuttle the Constitutional function of the House of Representatives when they were fully aware of the visit of the delegation.
8. Equally condemnable is the Clerk of the State House of Assembly, a senior civil servant who took side in the face of crises where he should be a neutral umpire and did not appear before the delegation. This is unbecoming of a civil servant of his cadre.

6.0 RECOMMENDATIONS

After reviewing and considering the submissions of the various stakeholders during the visit, the delegation hereby recommends as follows: