

APPRAISAL OF THE LEGISLATIVE AGENDA OF THE 7TH HOUSE OF REPRESENTATIVES BY CLEMENT NWANKWO, EXECUTIVE DIRECTOR, POLICY AND LEGAL ADVOCACY CENTRE (PLAC) AT THE VALEDICTORY SESSION OF THE 7TH HOUSE OF REPRESENTATIVES HELD AT THE NATIONAL ASSEMBLY ON WEDNESDAY, 27TH MAY 2015.

(Protocols)

Mr. Speaker

Mr. Deputy Speaker

Honourable Members

Distinguished ladies and gentlemen

May I thank you Mr. Speaker for this great privilege of being invited by the House of Representatives to speak on the occasion of the valedictory session of the 7th House of Representatives. I have been asked to speak on the Legislative Agenda of the 7th House and to provide an assessment of its implementation.

When the 7th National Assembly began in June 2011, Speaker, Rt. Hon. Aminu Waziri Tambuwal had given the lead to a process of developing a Legislative Agenda for the House including reviewing the House records, processes, practices, and direction. The intention was to overhaul not just the theoretical basis of the operation of the House but to invent new ways of doing things and reposition the House as an effective people-oriented and representative institution. The Speaker also intended to reposition the House in the minds of the Nigerian people as an institution responsive to their expectations. This process led to the creation of the Legislative Agenda.

The thrust of the Agenda was well captured in the seven principles of the Legislative Agenda as follows:

1. Initiate a new order that fosters transparency leading to institutional integrity through efficiency of public expenditure management.
2. Restructure management and functions of legislative committees towards adequacy in capacity and improved productivity.
3. Design and implement the e-parliament blueprint that elevates the National Assembly operations to international best practices and ensures public access to parliamentary information and processes.
4. Review legislative branch budget in line with the requirements of openness, effectiveness and accountability.
5. Review the Constitution in all relevant areas in line with the aspirations of Nigerians.
6. Engage actively with other arms of government to restore public order and national security.
7. Institutionalise mechanisms that facilitate effective engagement with various stakeholders including Constituents and Civil Society Organisations (CSOs).

Underlying these seven principles was a determination by the 7th House of Representatives to improve legislative processes, conc the standards of efficiency, transparency and accountability in the House and its Committees, and entrench a regime of legislative oversight that emphasized the important need for an accountable government.

In embarking on producing the legislative agenda for its four-year life, the House sought to reposition the Nigerian peoples' impression of the National Assembly and winning back public trust and confidence in the Legislature as true representatives of the Nigerian people. The legislative agenda made promises to the Nigerian people and I will capture these promises as follows:

1. To redefine the scope, methodology and effectiveness of oversight as a key function of legislative activity.
2. To be more transparent in expending public funds and to ensure that its watchword in financial issues affecting the House will be fiscal conservatism.

3. Increase the use of ICT to improve its communication with itself and with the general public including use of electronic voting and documentation of Members voting records as well as creating a more effective and reliable archival system.
4. Ensure executive compliance with budgetary requirements in line with principles of global budgetary practices.
5. Ensure full revenue disclosures through mid term review of the budget and empowering the National Assembly Budget and Research Office (NABRO).
6. Reduced cost of governance by better monitoring of MDAs and ensuring elimination of waste.

In addition, the House identified what it called priority legislation and policy issues and stated that it would give priority to high impact people-centred legislation linked to service delivery and eliminating poverty. It also promised Constitution amendment to address concerns of citizens and specifically listed legislation that it hoped to pass. These priority legislation was listed to include the Petroleum Industry Bill (PIB) and other laws dealing with electoral reform, constitution amendment, infrastructure reform, education reform, agriculture and land reforms, job creation initiatives, housing and youth and social development. It also listed legal and justice sector reforms and laws to achieve goals outlined in the MDGs and strengthening of the Public Petitions Committee to deepen public access to the Legislature.

Also identified was the need to strengthen the legal framework to support the security services to tackle crime, terrorism and other national Security challenges. In addition, the House promised to remove legal obstacles to business and helped bolster private sector participation in the economy.

The Legislative Agenda also recognized the importance of engagement with CSOs and professional groups and undertook to ensure this. Very importantly, the Legislative Agenda recognizes the important need for a cordial relationship with the Senate and

undertook to entrench a regime of regular consultations and meetings between both chambers of the National Assembly as well as initiate a link for engagement with State Houses of Assembly.

As the House of Representatives holds its valedictory session, it is only appropriate that a review is done on how well it has performed over the last four years and how it has achieved its intended objective of reforming the processes of the House and delivering on its identified legislative priorities and goals.

The question for a lot of Nigerians and the reason for this presentation is to ask whether the House of Representatives delivered on its Legislative Agenda. In summary, did the 7th House of Representatives chart a new and effective course of legislative business and respond effectively to the needs of the Nigerian people whom it was elected to represent. I will refuse to provide a Yes or No answer and leave that to the Nigerian people to provide answers. I will however go back to the promises made to the House and will from my knowledge of what the House did or did not do, try to provide my own perspectives in a fair and objective manner as possible.

First, is the question whether the House redefined the scope, methodology and effectiveness of oversight in its legislative work. The House succeeded in carrying out several oversight activities including conduct of some landmark investigative hearings on: Fuel subsidy scam, aviation, capital market, non remittance of MDAs revenues non implementation of budget, immigration, banking, employment and labour issues, and education among others.

A key constraint in outlining achievements in this area was the constant battle between a House anxious to exercise its powers and achieve results and a very unaccountable and opaque executive sometimes leading to public squabbles between the executive and the legislature, and even smear of legislative efforts. The legislature on its part however compromised in certain cases and in the eyes of Nigerians, this raised questions about its credibility and genuineness of its oversight activities.

On the issue of transparency in expending public funds and ensuring of fiscal conservatism, I must say that the 7th House of Representatives succeeded in avoiding the many scandals that bedeviled previous sessions of the National Assembly with limited reports of scandal.

The House, just like its counterpart, the Senate did not however respond to the constant demand by citizens that the funding, salaries and emoluments by its Members be better understood by the public and not be seen as shrouded in mystery. Consequently, it is unclear if the House applied its stated objective and watchword of making its running its financial issues in line with the principles of fiscal conservatism.

On its undertaking to increase the use of ICT to improve communication with itself and with the general public, it would seem that the House fell short. Its promise included use of electronic voting and documentation of Members voting records. Apart from the use of electronic voting during the special occasions of Constitution Review voting, the House did not institute an electronic voting system and there is no record of how Members voted on several other motions and bills in the House thus making it difficult to construct the legislative character of an elected member. The House also promised to create an IT environment in the National Assembly through the provision of Internet access for all and IT equipment such as computers. As we speak today, the IT environment is absent and several Committees operate with limited access to computers and other IT accessories.

The communication gap between the Senate and the House remains quite wide. In the Sixth Assembly it was appalling. During the Seventh Assembly this improved and there was visible evidence of cordial relationship between the presiding officers of both Chambers, although this did not seem to translate into significant legislative gains.

A perusal of the Bill Progression Chart of both Chambers of the National Assembly shows a littering of bills passed in one House but not harmonized or concurred with in the other. For example, the House passed a total number of 80 bills that were not concurred to by the Senate. The Senate on its own part also passed a good number of bills that were not concurred to by the House.

The House made strident efforts to hold the executive to account instituting numerous investigations of financial recklessness by the executive arm of government and constantly inviting different officials and ministries of government to respond to questions of their non-compliance with budgetary provisions and laws. Indeed, the House took two unprecedented steps; one, of inserting into the Appropriations Act, provisions punishing violation of the Act and two, providing for zero budget allocation to government agencies that failed to respect appropriation principles.

On its promise to carry out annual mid term review of the national budget, the National Assembly did not institute a process for carrying out annual mid term review of the budget. It is not clear whether this is as a result of the failure of the executive to pass the budget on time and respond to questions related to the budget. It turned out that throughout the four years of the 7th Assembly, the process of submission of the budget by the executive and finalization of the appropriation Act for each of the years made it difficult for a mid term review of the annual budget to be carried out.

The House however, showed a strong resolve to improve its budget process by passing into effect, the bill creating the National Assembly Budget and Research Office (NABRO). This bill also received the concurrence of the Senate and is now one of the many bills awaiting the signature of outgoing President Jonathan. With just about 24 hours to the end of tenure of President Jonathan, the possibility of this bill being signed is doubtful. The 8th National Assembly should prioritise this bill and ensure that it becomes effective within its first year.

Reference has been made above to the issue of oversight and effectiveness of the House processes in curbing or reducing waste and the cost of governance in Nigeria. The fact that the annual recurrent component of the National Budget has continued to rise, raises grave concerns. It would seem that the executive succeeded in overwhelming the National Assembly as to make it doubt its preeminent power and control over the National Budget and the national purse. This meant that the character and power of the House to control and check spending by government as entrenched in the Nigerian Constitution was not fully exercised.

In its Legislative Agenda, the House identified priority legislation that it promised to pass. Key among which is the Petroleum Industry Bill (PIB), amendments to reflect reforms in the Constitution and Electoral Act, justice sector reforms and bills addressing special concerns such as pro-poor, disability, gender etc. It is regrettable that the PIB failed to pass again in the 7th Assembly representing a major failure for the House and National Assembly. The House must however be commended for passing what turned out to be the single most significant and far reaching amendment to the Nigerian Constitution ever. Unlike the amendments passed by the 6th Assembly that focused on electoral reforms, the 7th Assembly passed amendments that covered:

- a. Indigene-ship and Citizenship rights
- b. Inclusion of socio economic rights such as the right to free basic education and right to free primary and maternal healthcare
- c. Financial Autonomy/Independence for State Houses of Assembly
- d. Electoral Reforms
- e. Constitutional Protection for Persons Living with Disabilities
- f. Devolution of powers and reduction of the items on the exclusive legislative list etc.
- g. Separation of the Office of the Attorney-General from that of the Minister of Justice to improve effectiveness
- h. Improved fiscal measures

Most of the proposals contained in the alteration were initiatives from the House which it validated through the conduct of the Peoples' Public Sessions in the 360 federal Constituencies thus creating the widest ever participation of Nigerian citizens in constitution reform. The Constitution review effort led by the Deputy Speaker, Rt. Hon. Emeka Ihedioha must be commended as it opened itself up to engagement with civil society organisations. The House must also be commended for the passage of such significant bills such as the Administration of Criminal Justice Act, Violence against Persons (Prohibition) Act, National Health Bill, Pension Reform Bill, and Nigerians with Disabilities Bill. The amendment of the 2010 Electoral Act was unfortunately not done in time to enable its signing and use for the 2015 elections. Through its Public Petitions Committee, the House made significant effort to improve the process of addressing petitions from the public and made several resolutions to address complaints of administrative breaches and injustice brought by citizens.

The House also passed the Terrorism Prevention (Amendment) Act and regularly invited security agencies including the military to brief it on efforts to reduce the security challenges in the country especially in the North East part where the Boko Haram insurgency was raging.

We must also look at the general productivity of the House which is as stated in the latest copy of the Bills Progression Chart issued by the House Rules and Business Committee.

A summary is indicated as follows:

SUMMARY OF BILLS INTRODUCED TO THE 7 th HOUSE OF REPRESENTATIVES (JUNE 2011-MAY 2015)		
A.	AWAITING SECOND READING	313
B.	ADJOURNED CONSIDERATION	1
C.	ADJOURNED DEBATE	18
D.	CONSOLIDATED BILLS AWAITING SECOND READING	30
E.	CONSOLIDATED REPORT OF COMMITTEE ADOPTED	2
F.	BILLS PASSED BY HOUSE AND TRANSMITTED TO SENATE	80
G.	REPORT ON BILL LAID ON THE TABLE	31

H.	BILLS PASSED BY BOTH HOUSES	79
I.	COMMITTEE YET TO LAY REPORT	174
J.	BILL NEGATIVED	18
K.	BILL WITHDRAWN	6
TOTAL NUMBER OF BILLS		752

From the summary above, a curious bystander may immediately state that productivity was low, yet this does not tell the full story of the efforts of the 7th House of Representatives in carrying out its task. Commendation must be made of the leadership of the House of Representatives. Speaker, Aminu Waziri Tambuwal provided a leadership that promoted and protected the independence of the House as an effective legislative organ in checking the excesses of the executive.

The high point of the independence of the legislature played out when Members of the House of Representatives led by the Speaker broke through police barriers, scaling the fence and forcing the gates open in challenge of the reckless conduct of the Police acting the script of the executive and seeking to prevent the House in carrying out its duties. This single act of resistance to the actions of the Police was a hallmark of defence of democracy in Nigeria. As a civil society leader, I must commend the Speaker, Rt. Hon Aminu Waziri Tambuwal for his leadership of the House, for his openness and for his regular engagement with civil society.

As the 8th Assembly sets to start, our expectation is that the House would expand the frontiers of its independence, manifest its effectiveness and provide true representation to constituents and the Nigerian People.

Thank you Mr. Speaker.

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