



THE SENATE

Federal Republic of Nigeria

COMMITTEE ON INEC

**REPORT ON THE SCREENING OF
NOMINEE**

FOR

**CONFIRMATION OF APPOINTMENT AS
RESIDENT ELECTORAL COMMISSIONER
OF THE INDEPENDENT NATIONAL
ELECTORAL COMMISSION (INEC)**

JANUARY, 2019.

REPORT OF THE SENATE COMMITTEE ON THE INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC) ON THE RESCISSION OF THE CONFIRMATION OF *ELDER MONDAY UDO TOM*, A NOMINEE FROM AKWA IBOM STATE AS RESIDENT ELECTORAL COMMISSIONER OF THE INDEPENDENT NATIONAL ELECTORAL COMMISSION.

1.0 The Senate in its Plenary Sitting on Wednesday, 6th June 2018, considered the report of the Senate Committee on The Independent National Electoral Commission on the confirmation of nominations of Resident Electoral Commissioners and their appointments were confirmed, accordingly. However, on Thursday, 7th June 2018, ***Senator Albert B. Akpan (Akwa Ibom North-East Senatorial District)***, pursuant to Rule 53 (6), drew the attention of the Senate to the confirmation of the nominee of Akwa Ibom State ***Elder Monday Udo Tom***, for the position of Resident Electoral Commissioner (REC). He stated that there was a petition against the nominee, which the Committee reflected in its report to the Senate. He stressed that his appointment contravenes the position of section 146 of the Electoral Act No. 6, 2010, as (amended) Section 146 provides that:

“no person holding an elective office to which this Act relates or a registered member of a political Party shall be eligible for or be appointed to carry out the duties of a returning officer, an electoral officer, presiding officer or a pool clerk, and any officer appointed to carry out any of those duties shall be ineligible for nomination as a candidate for election while he continues to hold any such appointment”.

Flowing from the foregoing, Senator Albert B. Akpan moved that the Senate do rescind the confirmation of the nomination, until the outcome of the consideration of the petition against him by the Committee. After extensive deliberations, the Senate referred the matter to this Committee, to among other things, consider the petition against the nominee and

report back its recommendation. The Senate Resolution is as contained in its Resolution No: (S/RES/275/03/18)

2.0 Committee Action

In view of the paragraph 1.0 above, the Committee met and deliberated on the mandate given to it by the Senate, whereby it painstakingly scrutinized the petition forwarded to it, through the Office of the President of the Senate by a "Coalition of Concerned Lawyers", Abuja, dated 15th January, 2018, against the confirmation of the nomination of Elder Monday Udo Tom, for appointment as a Resident Electoral Commissioner, Akwa Ibom State.

The Committee also invited the petitioners to appear before it to substantiate the issues raised in their petition.

3.0 Observations/Findings

The Committee, having considered the petition, observes and finds as follows:

1. That the petitioner did not honour the several invitations extended to them by the Committee to offer further explanations or clarification on their claims;
2. That there was no empirical evidence whatsoever that proved beyond any preponderance of doubt that the appointment of the nominee as a Resident Electoral Commissioner, conflicts with the provision of section 146 of the Electoral Act, 2010, as (amended);
3. That whilst the nominee's name presented to the Committee for screening and confirmation is known as "*Elder Monday Udo Tom*" the one that appeared on the petition was addressed as "*Elder Monday Effiong Tom*". As a result, the Committee was unable to ascertain whether the petitioners were referring to the same nominee entirely.

This seeming confusion could not be cleared by the petitioners but they also failed to appear before the Committee to clear the air; and

4. That the petition was not properly communicated to the Chairman of the Committee neither to the Committee Secretariat.

4.0 Committee Resolution

From the foregoing observations/findings, the Committee unanimously resolved to reaffirm its earlier recommendation on the confirmation of nomination of **Elder Monday Udo Tom** for appointment as a Resident Electoral Commissioner of Independent National Electoral Commission, Akwa Ibom State.

5.0 Recommendation

The Senate Committee on Independent National Electoral Commission hereby recommends as follows:

*"That the Senate do confirm the nomination of **Elder Monday Udo Tom** for appointment as the Resident Electoral Commissioner, Akwa Ibom State".*

WE SO RECOMMEND.

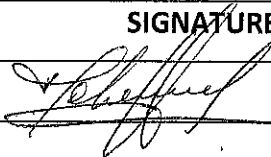
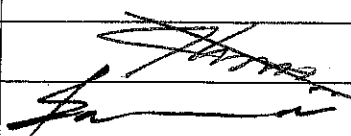
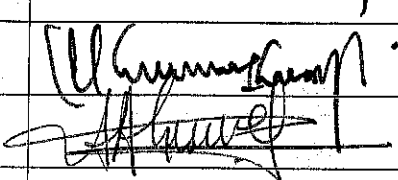
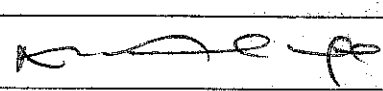
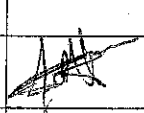
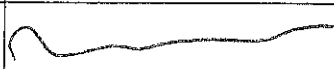
6.0 CONCLUSION

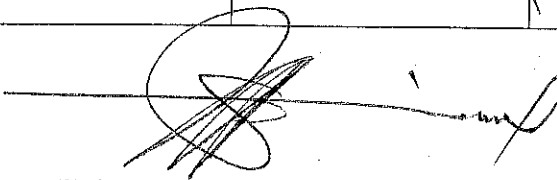
On behalf of the members of this committee, I wish to most sincerely express our tremendous gratitude for the opportunity given to us to serve in this regard.

Thank you.

Endorsement Page

SENATE

S/NO.	NAMES	DESIGNATION	SIGNATURE
1.	Sen. Suleiman M. Nazif	Chairman	
3.	Sen. Olusola Adeyeye	Member	
3.	Sen. James E. Manager	Member	
4.	Sen. Hope O. Uzodinma	Member	
5.	Sen. Gilbert E. Nnaji	Member	
6.	Sen. Atai A. Aidoko	Member	
7.	Sen. Abubakar Kyari	Member	
8.	Sen. Mao A. Oluabunwa	Member	
9.	Sen. Aliyu Sabi Abdullahi	Member	
10.	Sen. Umaru I. Kurfi	Member	
11.	Sen. Abdullahi A. Gumel	Member	
12.	Sen. Ogembe Ahmed Salau	Member	
13.	Sen. Ovie Omo Agege	Member	
14.	Sen. Suleiman Hunkuyi	Member	
15.	Sen. Shehu Sani	Member	
16.	Sen. Aliu Wamako	Member	
17.	Sen. Isah Hamma Misau	Member	
18.	Sen. Mohammed Hassan	Member	
19.	Sen. Stella Oduah	Member	


Barr. B. S. Maina
Committee Clerk (Senate)