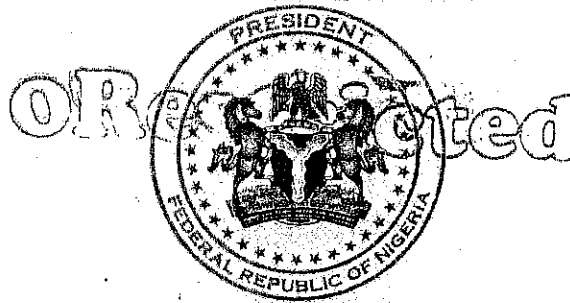




**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

17 January, 2017

Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Distinguished Sen. President,

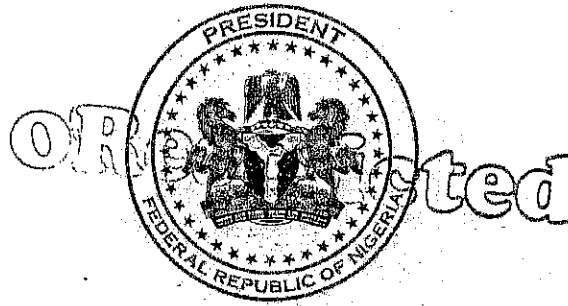
**RE: RESOLUTION BY THE SENATE OF THE FEDERAL REPUBLIC OF NIGERIA
CONCERNING THE HUMANITARIAN SITUATION IN THE NORTH-EAST REGION
PARTICULARLY IN RELATION TO THE ALLEGED ROLE OF THE SECRETARY
TO THE GOVERNMENT OF THE FEDERATION (SGF), ENGR. DAVID
BABACHIR LAWAL IN THE CONTRACT IMPLEMENTATION REGIME OF THE
PRESIDENTIAL INITIATIVE FOR THE NORTH-EAST (PINE).**

You may recall your letter with reference NASS/8S/R/01/5 dated 15th December, 2016 in respect of the Senate's consideration of the report of its Ad-Hoc Committee on the 'Mounting Humanitarian Crisis in the North-East' that conveyed the resolution of the Committee as contained in Paragraph 1(viii) therein which reads as follows:

"Engr. Babachir Lawal having contravened the provisions of Part 1 of the Fifth Schedule of the 1999 Constitution (As Amended), had breached his Oath of Office, should resign and be prosecuted by the relevant Authority (S/Res/075/02/16)."

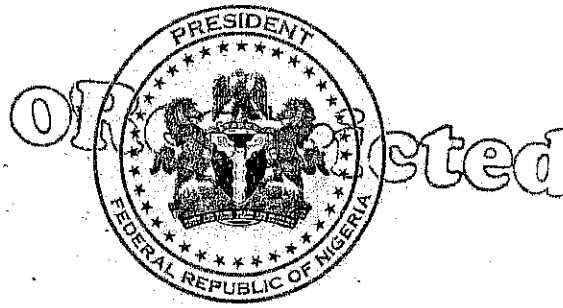
Following the receipt of your letter, I set up a review team to consider the recommendations from the Senate Committee. I have also conducted further investigation based on Engineer Lawal's response to the allegations and issues raised in the Senate's resolution and I have come to the following conclusion that I believe will guide the Senate in the proper review of its interim report and eventual resolution:

- (i) The report forwarded to the presidency by the Senate which informed the decision that Engr. Babachir Lawal should resign and be prosecuted by the relevant Authority (S/Res/075/02/16) was an **interim report** as



against a final report which ought to have been presented to the Senate in a Plenary for adoption as a binding and final report before submission to the Presidency given the weight of allegations made in the report;

- (ii) The Senate committee set up to investigate the 'mounting humanitarian crisis' in the North East comprised of nine members, namely:
 - a. Senator Oluremi Tinubu
 - b. Senator Muhammed Hassan
 - c. Senator Solomon O. Adeola
 - d. Senator Ben Murray Bruce
 - e. Senator Tayo Alasoadura
 - f. Senator Theodore A. Orji
 - g. Senator Yahaya A. Abdullahi
 - h. Senator Malam Ali Wakili mni
 - i. Senator Isaac M. Alfa
- (iii) The review of the interim report shows that the interim report was only signed by only three (3) out of the nine members, namely:
 - a. Senator Solomon O. Adeola
 - b. Senator Yahaya A. Abdullahi
 - c. Senator Isaac M. Alfa
- (iv) The signing of the interim report by three out of nine members of the committee makes it a minority report of the Senate committee and not a committee report being an interim report – **thus presenting a challenge for the Presidency to determine the weight to attach to the report as currently presented.**
- (v) I have also observed that the Senate Ad-hoc Interim Committee Report and the votes and proceedings of the Senate have not, in its own right, established that Engineer Babachir Lawal was ever given an opportunity to appear before the Committee and defend himself.
- (vi) It is also on record that the company linked to him (Rholavision Engineering Limited), was also not invited at any time before the Committee to defend itself against the allegations which eventually formed the fulcrum of the Senate's case against the company.



You are invited to note that non-application of principles of fair hearing by the Senate Ad-hoc Committee is a clear contravention of Section 36 (1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and against all principles of rule of law as enunciated in the Nigerian legal system as well as the rules of the National Assembly Committees on handling of public petitions.

Consequently, I am of the view that barring other considerations that may arise as a result of subsequent investigation of Engineer Lawal by the interim Ad-hoc committee, the current report as presented to the Presidency, in its own right, does not meet the principles of fair hearing and compliance with the Senate Rules for conduct of investigations in matters relating to abuse of office by public officers.

In the light of the foregoing, I am not able to approve the recommendation to remove and prosecute Engineer Lawal on the basis of the Senate Ad-hoc Committee Report dated 15th December, 2016.

Please accept, Distinguished Senate President, the continuing assurances of my highest considerations.

Yours sincerely,

Muhammadu Buhari