SENATE OF THE FEDERAL REPUBLIC OF NIGERIA ORDER PAPER

Thursday, 23rd June, 2016

1. **Prayers**
2. **Approval of the Votes and Proceedings**
3. **Oaths**
4. **Announcements (if any)**
5. **Petitions**

PRESENTATION OF BILLS

1. National Environmental Standards Regulatory Enforcement Agency Act 2007 (Amendment) Bill, 2016 (SB. 207) – *First Reading.*
   Sen. Gilbert Nnaji *(Enugu East)*

2. Independent National Electoral Commission Act 2010 (Amendment) Bill, 2016 (SB. 297) – *First Reading.*
   Sen. Mosurat Sunmonu *(Oyo Central)*

3. Tertiary Education Trust Fund Act 2007 (Amendment) Bill, 2016 (SB. 300) – *First Reading.*
   Sen. Abdullahi Adamu *(Nasarawa West)*

4. Integrated Community Development Agency (est., etc.) Bill, 2016 (SB. 305) – *First Reading.*
   Sen. Stella Oduah *(Anambra North)*

5. Legal Framework for Public Private Partnership (est., etc) Bill, 2016 (SB. 306) – *First Reading.*
   Sen. Mustapha Bukar *(Katsina North)*

6. Universal Basic Education Act 2003 (Amendment) Bill, 2016 (SB. 307) – *First Reading.*
   Sen. Suleiman Adokwe *(Nasarawa South)*

7. Correction, Reformation and Re-integration Centre (establishment, etc) Bill, 2016 (SB. 308) – *First Reading.*
   Sen. Gershom H. Bassey *(Cross River South)*

8. Maritime University of Nigeria, Oron (est., etc) Bill, 2016 (SB. 309) – *First Reading.*
   Sen. Nelson Efiong *(Akwa-Ibom South)*

9. Personal Information Protection Bill, 2016 (SB. 310) – *First Reading.*
   Sen. Stella Oduah *(Anambra North)*

10. Cattle Movement (Control) Bill, 2016 (SB. 311) – *First Reading.*
    Sen. Chukwuka Utazi *(Enugu North)*

PRESENTATION OF REPORTS

1. Report of the Committee on Niger Delta
2016 Budget Proposal of the Niger Delta Development Commission (NDDC)
Sen. Peter Nwaoboshi *(Delta North)*
"That the Senate do receive the Report of the Committee on Niger Delta on the 2016 Budget Proposal of the Niger Delta Development Commission (NDDC)". - *To be laid.*

2. Report of the Committee on Public Account
Report of the Auditor General for the Federation on the Audited Account of Five Parastatals.
Sen. Andy Ubah *(Anambra South)*
"That the Senate do receive the Report of the Committee on Public Account on Report of the Auditor General for the Federation on the Audited Account of Five Parastatals of Federal Government of Nigeria.
- *To be laid.*

3. *Report of the Committee on Ethics, Privileges and Public Petitions*
Sen. Samuel N. Anyanwu *(Imo East)*
"That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a Petition from Mr. Akinnigbagbe Akinniyi against National Insurance Commission (NAICOM) - *To be laid.*

4. *Report of the Committee on Ethics, Privileges and Public Petitions*
Sen. Samuel N. Anyanwu *(Imo East)*
"That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a Petition by Lawright Associates against the Department of Parks and Recreation, Federal Capital Territory Administration (FCTA) for alleged unlawful conversion and reallocation of a Green Area/Park Plot at Guzape, Abuja- *To be laid.*

ORDERS OF THE DAY

CONSIDERATION OF REPORTS

1. Report of the Committee on Tertiary Institutions and TETFUND
Federal University of Petroleum Resources, Effurun (Establishment etc.) Bill, 2016 (SB. 226).
Sen. Binta Masi Garba *(Adamawa North)*
"That the Senate do consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Petroleum Resources, Effurun (Establishment etc.) Bill, 2016 (SB. 226).

2. Report of the Committee on Sports and Youth Development
Discrimination against Persons with Disabilities (Prohibition) Bill, 2016 (SB. 22).
Sen. Obinna Ogba *(Ebonyi Central)*
"That the Senate do consider the Report of the Committee on Sports and Youth Development and Poverty Alleviation and Social Welfare on the Discrimination against Persons with Disabilities (Prohibition) Bill, 2016 (SB. 22).

MOTIONS

1. The urgent need to investigate the Mismanagement of Grants from Global Fund Financial Institution
Sen. Emmanuel Andy Ubah *(Anambra South)*

The Senate:

Notes the recent decision of the Global Fund to suspend its financial support to Nigeria citing lack of transparency in the disbursement of such fund by Nigerian officials;

Aware that the Global Fund, despite the disbursement of huge sums of money in Nigeria for the fight against HIV/AIDS, tuberculosis and malaria, the situation continues to present challenges of the grants not achieving impact targets, poor quality of health services, treatment disruptions and fraud, corruption and misuse of funds;

Aware also that funding remains critical to success in the war against such formidable diseases as HIV/AIDS, tuberculosis and malaria, which is exactly what the Global Fund, a Geneva-based financial institution that renders support to countries in response to the three diseases, has been trying to provide over the years;

Worried that Nigeria's bid to contain and eventually eradicate some killer diseases in the country will certainly feel the impact of this decision. Also that the last thing the country's weak and under-funded health sector needs at this point in time is the sudden cessation of funding from the biggest contributor to such a noble vision;

Worried also that the Fund, which has reportedly disbursed more than $1.4 billion in Nigeria since 2003, is now withholding its cash, alleging irregularities such as the payment of $20 million to suppliers without confirming delivery and the failure to account for $3.7 million supposedly spent on anti-retroviral drugs;

Saddened that the efforts made by the Fund, and with over $800 million disbursed to Nigeria in the last four years, major deficiencies in the internal control environment still persist as Nigeria has failed totally to achieve any of the target set for the three deadly diseases claiming millions of lives globally every year despite the massive funding from international donors;

Saddened also that the Global Fund's claim that its grants were not achieving impact targets can be seen in the battle to contain malaria, which has emerged as a major killer of children. Many of the mosquito-treated nets sent to Nigeria for distribution free of charge have found their way into the markets for sale to those who can afford the price. It is not surprising that an indicting verdict from the World Health Organization has emerged, saying, "Two countries, Nigeria and Democratic Republic of Congo, accounted for more than 35 per cent of global malaria deaths in 2015";

Concerned that while countries, like the United Arab Emirates, Morocco, Turkmenistan, Armenia and Maldives, have successfully eliminated malaria, Argentina, Kyrgyzstan and Sri Lanka are in the process of being certified malaria-free by the WHO but our country still struggles;

Concerned that the situation is even worse in the case of HIV/AIDS, where less than 750,000 patients of the 3.5 million people, said to be living with HIV in the country, have access to treatment, which is considered vital in keeping such patients healthy and reducing the spread of infection;

Concerned further in the case of tuberculosis, there has been a noticeable increase in the rate of infection and death. From being mentioned among the 22 most endemic nations in the world, the country is now adjudged to have the third highest TB burden globally, next only to India and Indonesia;
Worried that the suspension of foreign donor funds is coming at a very critical time, when the price of oil, Nigeria's main source of income, is currently depressed. This makes alternative funding for the sector very difficult in a country that over the years, has been under funding the health sector;

Agreed that these are indeed cases that should be considered as crimes against humanity since the effect of the actions will end up claiming lives. They should not only be punished, the government should ensure that all the money that has been misappropriated or outrightly stolen is refunded. It should also devise checks to ensure that such practices do not occur in future. This is important as WHO says sustenance of robust financial investment, political will and innovation are the only strategies to win against these killer diseases.

Accordingly resolves to:

i. *Mandate* the Committee on health to carry out a holistic investigation on these weighty allegations to ensure that those who are bringing the name of the country into disrepute and hampering progress in the health sector do not get away with their crime and report back to Senate within two (2) weeks.

2. The Investigation of the Violation of the Nation's Constitutional Federal Character Principle by the Federal Inland Revenue Service (FIRS)
Sen. Ovie A. Omo-Agege *(Delta Central)*
Co-sponsor:
Sen. Ahmed Ogembe *(Kogi Central)*

The Senate:

Notes that:

a. the 'Federal Character' principle enshrined in the Constitution of the Federal Republic of Nigeria 1999 (as amended) expresses the *"distinctive desire of the peoples of Nigeria to promote national unity, foster national loyalty and give every citizen of Nigeria a sense of belonging to the nation"*;

b. the Federal Character principle is a patriotic constitutional tool and mechanism for taming, forestalling or preventing the corrupting vices of nepotism, ethnic discrimination and dominance, opacity, and injustices in the engagement, recruitment or appointment of Nigerians into public job positions;

c. the Senate/National Assembly, by its very composition, is the best substantive example of the intendment of the Federal Character Principle, as it bears a critical majority of the ethnic shades across the States of the Federation and has a sacrosanct duty of ensuring the replication of its federal compositional outlook in the management of national affairs;

Aware that:

a. the Federal Character Commission (FCC) is mandated under paragraphs 8(1)(a) and (b) of Section C, Part 1, Third schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended) to: *"work out an equitable formula, SUBJECT TO THE APPROVAL OF THE NATIONAL ASSEMBLY, for distribution of all cadres of posts in the Public Service of the federation and of the States, the Armed Forces of the Federation, the Nigeria Police force and other government security Agencies, government owned companies/parastatals of the states" and to "promote, monitor and enforce compliance with the principle of proportional sharing of bureaucratic, economic, media and political posts at all levels of government"*;

b. the FCC is also clearly empowered under Section 4(1)(g)(i) of the Federal Character Commission (Establishment, etc.) Act 2004, to: *"ensure that all ministries and Extra-Ministerial Departments, agencies and other bodies ... have clear criteria indicating the conditions to be fulfilled and comprehensive guidelines on the procedure for determining eligibility and the procedure for employment in the public and private sectors of the economy"*;

c. as part of the FCC's procedures for recruitment into the Federal Civil Service, *"the best and most competent candidates from each State of the Federation and the Federal Capital Territory* (are to) *... be shortlisted to compete for positions reserved for their respective States/Zones."*;

d. to comply with procedure for attracting and engaging *"the best and most competent candidates"*, the FCC's procedures for recruitment into the Federal Civil Service also stipulates that all Ministries, Departments and Agencies (MDAs) of the Federal Government shall advertise all job vacancies in at least two newspapers circulating nationally, giving prospective candidates, a minimum of six weeks within which to apply;

Notes furthermore that this 8th Senate/National Assembly has not approved and did not approve the recruitment of persons to any position in the FIRS under the Executive Chairmanship of Dr. Babatunde Fowler and the said FIRS is not known to have publicly given any opportunity to *"the best and most competent candidates"* across our nation in any transparent employment recruitment process by the FIRS;

Disturbed that the FIRS under the Executive Chairmanship of Dr. Babatunde Fowler is alleged to have grossly violated the Federal Character principle in the 1999 Constitution, the Federal Character Commission (Establishment, etc.) Act 2004 and related extant laws and the established recruitment procedures of the FCC in a secret recruitment of about 349 persons into the FIRS and this has become a major embarrassment to the institution of the Senate/National Assembly and a source of simmering social agitations across parts of the nation;

Concerned that the list of alleged 349 persons secretly recruited into the FIRS with very disturbing and indicting details in *Appendix 1* published online by *Sahara Reporters* is a grave affront on the unequivocal constitutional competence of the institution of the Senate/National Assembly to be involved in such an important confidence-building national exercise as well as oversight of the FIRS for the benefit of all Nigerians without any tinge of discrimination whatsoever;

Worried that the Central Bank of Nigeria (CBN) was recently alleged to have similarly secretly recruited about 91 persons and the FIRS appears to have been emboldened by the CBN's apparently overlooked impunity to think that it would get away with this alleged gross, uncautionable, and highly insensitive violation of the laws of the land;

Troubled in particular that persons who are clearly not from some States were smuggled from nowhere to fill quotas for other states in the list of 349 persons allegedly illegally recruited, as contained in Appendix 1 while millions of qualified persons of the denied states where not considered worthy at all by the FIRS under the headship of Dr. Babatunde Fowler;

Condemns the alleged illegal, secret recruitment by the FIRS particularly as it carries the clear trappings of nepotism, premeditated ethnic exclusion, unpatriotic national divisiveness, reckless impunity, and very importantly, insensitive disregard for the feelings of Nigerians to at least participate in a transparent recruitment process in a government of "*change*";

Concludes that the alleged arbitrary, unconstitutional, secret, nepotism-inspired, and ethnic biased recruitment by the FIRS under Dr. Babatunde Fowler offends our laws, the fundamental Principles of State Policy enshrined in Part II of the 1999 Constitution (as amended), the guiding principles of the Legislative Agenda of this 8th Senate and the Spirit of the National Assembly as a representative body of the Nigerian People.

Accordingly Resolves to:

i. *SUSPEND* the illegal, secret, opaque and underhand recruitment of about 349 persons into the FIRS in gross violation of the letters and spirits of the 1999 Constitution, the Federal Character Commission (Establishment, etc.) Act 2004 and extant laws, including the Civil Federal Service recruitment procedures established by the Federal Character Commission, pending the joint investigation of this matter as sought in prayer (ii) beneath; and

ii. *MANDATE* the Senate Committees on Establishment and Public Service, Federal Character and Inter-governmental Affairs and Judiciary, Human Rights and Legal Matters to jointly investigate the Federal Inland Revenue Service, its Executive Chairman and Management on all issues raised in this Motion, with respect to the laws of the land and report to the Senate in two (2) weeks.

3. State of National Preparedness against Possible Zika Virus Outbreak in Nigeria
Sen. Yahaya A. Abdullahi *(Kebbi North)*
Co- Sponsor: Sen. Tejuoso Olanrewaju A.

The Senate:

Notes with concern, the severity of current changes in global climatic conditions, resulting in the outbreak of new, and sometimes more virulent strains of known diseases, across the world;
Aware that this incidence is further compounded by high cost of public health services, particularly for many developing countries like Nigeria;

*Call*s attention to the recent reported case of outbreak of the dreaded Zika virus in Brazil, early in 2015, and now spreading to Cape Verde, with chances of possible spill over to neighbouring countries like Sao Tome and Principe; Guinea (Conakry), Guinea Bissau, all within the Ebola and Lassa fever-ravaged, socio-political and economically volatile axis of West Africa;

Observes that as recently as 29th May , 2016, CNN reported that more than one hundred and fifty public health experts from around the world, advised that the 2016 Rio Olympic Games be postponed , or moved away from Brazil to avoid global spread of the Zika virus;

Observes further that Nigeria, being a well-known environment where many types of mosquitoes thrive, is a source of worry, and especially aware that the Zika virus itself is mosquito-borne; particularly the *aedes aegypti* species, commonly found in the country;

Recalls that because of the rampant incidence of outbreak of viral infections in the country, the President of the Nigeria Academy of Science, and notable virologist, Prof. Oyewale Tomori had, in 2015, warned that the country *"must resuscitate our moribund and comatose national disease surveillance system at the department of virology, University of Ibadan, as well as the Arbovirus Research Institute, Enugu"*;

Worried by the fact that because the virus is largely transmitted by pregnant women to the foetus, and that with Nigeria's estimated birth rate of 5.19% and 15-24% of active reproductive population, any Zika outbreak would present the country with huge public health crisis;

Recalls also that the Health Minister, Prof. Isaac Adewole, had earlier in the year, assured that studies conducted between 1975 and 1979 did indicate that only 40% of adult Nigerians and 25% of Nigerian children had antibodies that could fight the Zika virus. And that the minister had directed the Nigeria Centre for Disease Control, NCDC, to include Zika virus monitoring as part of the efforts to check possible outbreak.

Accordingly resolves to:

i. *Invite* the Health Minister, Prof. Adewole to come and explain to the Senate Committee on Health, the state of the country's preparedness against the eventuality of any Zika virus outbreak;

ii. *Direct* the Senate Committee on Health, to closely interface with all the agencies concerned with disease monitoring, detection and early warning activities, and to report back, accordingly; and

iii. *Direct* the Federal Ministry of Health, to step up nation-wide anti-mosquito fumigation and distribution of treated mosquito nets.

4. Need to Investigate Pre-shipment Inspection of Export Activities in Nigeria
Senator Yusuf Abubakar Yusuf *(Taraba Central)*

Co-Sponsors:	Sen. Bukar Mustapha	Sen. Ali Ndume	Sen. Murray Ben Bruce
	Sen. Adeola Olamilekan	Sen. John Owan Enoh	Sen. Hope O. Uzodinma
	Sen. Abdullahi Adamu	Sen. Enyinnaya H. Abaribe	Sen. Kabiru Gaya
	Sen. Rafiu Adebayo Ibrahim	Sen. Joshua M. Lidani	Sen. David Umoru
	Sen. Akpan Albert Bassey		

The Senate:

NOTES that Pre-shipment Inspection of Export means inspection of goods (oil and non-oil) in Nigeria prior to the shipment of those goods outside Nigeria as provided under the Pre-shipment Inspection of Export Act, Cap P26 Laws of the Federation of Nigeria 2004;

AWARE that the period prior to the Pre-shipment Inspection of Export enactment, export of Crude Oil and Gas was characterized by under valuation, delays in issuance of invoices and payments for goods, sometimes up to 120 days, manipulation of crude oil prices, illegal swaps, deliberate illegal over loadings, topping-up of tanker loads by as much as 1% (against International Standard of 0.1%) and other disturbing leakages and lapses;

AWARE ALSO that the Federal Government instituted two panels of enquiries which were headed by Generals Abisoye and Olanrewaju, in 1994 and 1995 respectively to investigate and determine the truth or otherwise of the sharp practices. The two panels discovered serious leakages amounting to a loss of around 150,000 barrels of crude oil exports per day (i.e about 54,750,000 barrels per year);

FURTHER AWARE that as a result of the recommendations of these panels, the Pre-shipment Inspection Decree No. 10 of 1996 which is now known as Pre-shipment Inspection of Export Act Cap P26 Laws of the Federation of Nigeria 2004 was enacted;

NOTES that the purpose of Pre-shipment Inspection of Export Act is to instill probity and integrity to reduce losses due to sharp practices of employees at the oil terminals, monitor the export activities of the Joint Venture Oil Companies and their agents, to enforce effective supervision of loading and lifting of the Nigerian Crude Oil and Non- oil export based on quantity, quality and value of the product;

NOTE ALSO that Section 11 of the Pre-shipment Inspection Act and Article 26 of the export Policy Guidelines and Procedures for Crude Oil, Gas and Non-oil Goods of the Federal Ministry of Finance makes provisions for repatriation of export proceeds within 90 days of Bill of Lading;

FURTHER NOTES that the Central Bank of Nigeria is empowered to administer the provision of the Act and the Supervision of Technical Committee comprising of eight (8) Federal Government Agencies and Ministries under its Chairmanship;

AWARE that the Act mandates Central Bank of Nigeria to establish special account and maintain same for the purpose of payment of levies payable by Exporters of all oil and non-oil exports to meet the statutory requirements of the Nigerian Export Supervision Scheme;

FURTHER AWARE that from the commencement and implementation of the Act in April 1996 to March 2000 the following successes were recorded. They are:

a. Nigeria saved huge sums of foreign exchange losses;

b. Reduction in diversion of crude oil from terminals;

c. Reduction of Arbitration on prices, quality and quantity shortfall claims; and

d. Provision of on-the-job training, local seminars and overseas training of Officers working in designated government relevant agencies.

WORRIED that the Joint Venture Oil Companies have refused to repatriate crude oil export proceeds of over USD850 billion between 1996 to 2014 in total contravention of Section 11 of the Pre-shipment Inspection of Export Act and Article 26 of the Export Policy Guidelines and Procedures for Crude Oil, Gas and Non-oil goods of the Federal Ministry of Finance which mandates Exporters thus, as provided in Section 11 of the Act as follows:
"An exporter of goods, including petroleum products, shall open, maintain and operate a foreign currency domiciliary account in Nigeria into which shall be paid all exports proceeds corresponding to the entire proceeds of the exports concerned",
AND
Article 26 of the Guidelines provide thus:
"Repatriation of Export proceeds":

a. Within 90 days from the date of export, all exporters (whether oil, gas or non-oil) shall ensure that the export proceeds are repatriated and credited into their domiciliary account opened with a bank in Nigeria.
b. It is the responsibility of the Central Bank of Nigeria to monitor the repatriation of all export proceeds

FURTHER WORRIED that there is no congruence in the data for Nigeria export earnings published by various relevant Federal Government Agencies namely: Central Bank of Nigeria (CBN), Department of Petroleum Resources (DPR), National Bureau of Statistics (NBS), on one hand, with those published by the Nigerian National Petroleum Corporation (NNPC), on the other;

CERTAIN that the enforcement of this Act and the punishment of the violators will certainly boost the foreign exchange inflow and reduce pressure on the meagre foreign exchange supply, which will go a long way in increasing foreign exchange liquidity in the economy which will strengthen the value of the Naira and to also generate more income for banks and insurance companies;

CONCERNED that in this period of Micro economic crisis characterized by unwarranted devaluation of the Naira, where our dear country is exploring all areas to survive, we cannot continue to allow Operators of our survival kit (sources of our foreign exchange) to ignore our Laws and Regulations with impunity.

Accordingly resolves to;

i. Mandate the Senate Committees on Finance, Trade and Investments, Oil and Gas, Petroleum Upstream, Banking and other Financial Institutions, Judiciary, Customs and any other relevant committee to;

a. Conduct investigative hearing as a matter of urgency to determine the exact amount of crude oil and gas, and non-oil export proceeds un-repatriated since the inception of the Act in April 1996 to date.

b. Ascertain why the relevant Government Agencies always have conflicting data of same product value published in Nigeria on one hand while those published by NNPC, are different on the other;

c. Engage experts to conduct forensic reconciliation of the Export proceeds of both Crude Oil, Gas and Non-oil Export into their Domiciliary Accounts since the inception of the Programme in 1996 with a view to ascertain the exact amount due for repatriation;

d. Investigate and engage Experts to conduct forensic reconciliation of the Accounts of Nigerian Export Supervision Scheme and Comprehensive Importers Supervision Scheme domiciled with the Central Bank of Nigeria;

e. Investigate and ascertain the proper or otherwise of the usage of the payments into the Nigerian Export Supervision Scheme and Comprehensive Import Supervision Scheme; and

ii. Direct the Central Bank of Nigeria which is saddled with the responsibility to administer the Nigerian Export Supervision Scheme (NESS) under the Technical Committees to forthwith comply strictly with the Provisions of the Act and the Guidelines for maximum benefit to Nigeria and Nigerians.

5. Indiscriminate Rock Blasting in the FCT and other parts of Nigeria: Need to respect Nigerian Laws and observe International best practices.
Sen. T. A. Orji, CON (Abia Central).

THE SENATE:

Observed the indiscriminate blasting of rocks in the Federal Capital Territory and other parts of Nigeria, in total neglect of NIGERIAN LAWS and Global best practices;

Worried about the danger the host communities in FCT and other communities throughout Nigeria face in terms of environmental degradation and health hazard caused by quarry operators;

Shocked to observe that the international standard requirement of five kilometres away from where people live for location of quarry sites is not being adhered to only in Nigeria;

Concerned at the deadly effects of rock blasting close to human habitation, neglect of the host communities, slavery, dehumanization of indigenous workers, pregnant women suffering miscarriages and other birth complications, people developing hearing problems as a result of sudden blasts, little children always being apprehensive of such blasts;

Notes the classical examples of Toge, Baruwa and Pyakassa communities in Abuja Municipal Area Council (AMAC), where the situation is pitiable and calls for urgent attention. Mpape in Bwari Area Council is another case in point; other instances are Ushafa, Bmiko, Bazango extension, Jigo etc;

Further worried that the companies or quarry operators, majority of whom are non-Nigerians, feel unconcerned and do nothing to ameliorate the suffering of the people of the host communities or to improve their lives and in fact treat them as though they are not human beings;

More alarmed, that the quarry companies or operators who are mostly foreigners even carry out such detrimental operations in total breach, neglect and disregard of the laws of Nigeria, particularly the Nigerian Minerals And Mining Act 2007, [S. 118(a)] thereof, and International best practices;

Notes that, if this is the case in the Federal Capital Territory, then the situation could be worse in other parts of Nigeria.

Accordingly resolves to:

i. Mandate Committee on Solid Minerals, to, as a matter of urgency, visit the communities mentioned above, and liaise with the Ministry of Petroleum and Solid Minerals to take stock of all the quarry sites in the country and ensure strict compliance with the laws of Nigeria and international standard requirement of five kilometres away from human habitation and make recommendations to the Senate on ways to ameliorate the sufferings of the people of the host communities.

6. Need to give recognition to Anambra and Kogi as oil producing states and to forestall further hostilities between the warring communities of Odeke Echeno in Ibaji Local Government Area of Kogi State and Enugu-Otu Aguleri and Eziagulu-Otu Communitites in Anambra East Local Government Area of Anambra State.
Sen. Stella Oduah *(Anambra North)*

The Senate:

Notes that his Excellency Former President Goodluck Jonathan, while inaugurating the Orient Petroleum Refinery in Aguleri in Anambra East Local Government of Anambra State in August 2012 officially declared Anambra an Oil producing state;

Further notes that the oil deposits are within the Anambra River Basin, which geographically covers Odeke and Echeno in Ibaji Local Government Area of Kogi State and Enugu-Otu Aguleri and Eziagulu-Otu in Anambra East Local Government Area of Anambra State;

Observes that the presidential declaration of August 2012 granting the status of an oil producing state to Anambra State was not gazzetted;
Further observes that Aguleri-Otu Community in Anambra East Local Government Area where the crude oil is domiciled covers parts of Kogi State particularly Odeke and Echeno Communities;

Disturbed that there have been frequent confusion, tension and outbreak of hostilities between Anambra and Kogi States' Communities over claims to the oil deposits;

Further disturbed that incessant attacks between the two states have claimed several lives and properties and the National Boundary Commission, which was mandated by the last administration of President Goodluck Jonathan seems to have failed in taking a firm decision in settling the boundary disputes, which has disrupted socio-economic activities in the warring communities and oil exploration by the licensed company;

Worried that several peace meetings held between the leaders and traditional rulers of the warring communities as well as the resolution made on the 4th April, 2014 between the then Anambra State Governor Mr. Peter Obi and his Kogi State counterpart Capt. Idris Wada to work more for peace, harmony, progress and good neighbourliness of their two states have failed to produce positive results;

Acknowledges that shifting of position and sincere commitment to amicable settlement, holds the potential of resolving the dispute between the warring communities.

Accordingly resolves to:

i. Urge the Federal Government to grant the status of oil producing states to Anambra and Kogi States, with all the accompanying benefits;

ii. Urge the Federal Government through the National Boundary Commission to visit the areas and make appropriate recommendations;

iii. Urge the Federal Government to deploy Security Agencies to the warring communities for the purpose of maintaining public safety and order and prevent further breakdown of law;

iv. Call on the warring communities to cease further hostilities and violence and embrace peace; and

v. Direct the Senate Committees on Petroleum Downstream, National Security and Intelligence and Interior to ensure compliance with prayers (i), (ii), (iii) and (iv) above.

7. The need to ascertain the Degree of Local Content in the Nigerian Oil and Gas Industry
Sen. Gershom Bassey *(Cross River South)*

The Senate:

AWARE that in 2002, the National Committee on Local Content Development (NCLCD) discovered that local participation in the upstream sector of the oil and gas industry in Nigeria was less than 5%, meaning that 95% of the then yearly expenditure of about $8 billion left the country;

FURTHER AWARE that the National Committee on Local Content Development (NCLCD) proposed initial targets of 40% by 2005 and 60% by 2010 for aggregate local content value in the oil and gas industry from all the categories;

NOTES that the Nigerian Oil and Gas Industry Content Development (NOGIC) Act was enacted in 2010 to promote indigenous participation in the management and control of the oil and gas industry;

FURTHER NOTES that many Nigerians who worked and gathered experience in International Oil Companies (IOCs) amongst others, have established their own oil and gas outfits;

CONVINCED that there should be a preference for Nigerian companies whenever a bid is made for a license, permit or contract within the industry because of the protection the NOGIC Act gives to Nigerian companies;

CONSCIOUS that the Petroleum Technology Development Fund (PTDF) and Petroleum Training Institute (P.T.I.) were established to train Nigerians to qualify as professionals so as to meet the labour force demands of the oil and gas industry in Nigeria;

FURTHER CONSCIOUS that the PTDF through its Overseas Scholarship Scheme (OSS) has trained over 2417 Msc and 642 PhD students while 897 students received training through its Local Scholarship Scheme (LSS);

ACKNOWLEDGES that 1% of total contract sums awarded in the upstream sector are placed in the Nigerian Content Development Fund established for the purpose of funding the development of local content in the Nigerian Oil and Gas industry;

FURTHER ACKNOWLEDGES that the oil and gas sector accounts for about 35% of Nigeria's GDP and 90% of foreign exchange earnings. If Nigeria achieves local content compliance of about 60% then Nigeria's economy will achieve a major boost on account of the oil and gas sector;

CONCERNED that despite the benefits accruing to indigenous oil and gas firms from the NOGIC Act , there is still a low involvement of indigenous players in the industry;

FURTHER CONCERNED that the NOGIC Act has a threshold that applies to projects of $1,000,000 (one million US Dollars) and above, yet the targets stipulated in the Act are far from being met;

DISTURBED that since 2010 the Nigerian Content Development Board has not transmitted a review of the local content schedule in the NOGIC Act to the National Assembly as stipulated in section 102 of the Act;

OBSERVES that Indonesia, Venezuela, Kazakhstan, Angola and Brazil, through specific legislation have had important local content successes;

FURTHER OBSERVES that in Brazil, the average of local content commitments resulting from bid rounds has increased from 27% to over 84% ;

RECOGNIZES that in Angola, the local content targets have been met for unskilled workers and have been exceeded for midlevel staff;

FURTHER RECOGNIZES that in Malaysia, the utilization of the local content in upstream oil and gas projects is in excess of 54.15%;

WORRIED that Angola, Brazil, Malaysia amongst others have achieved higher local content levels than Nigeria even though all the four countries discovered oil about 60 years ago;

FURTHER WORRIED that despite 6 years of implementation of the Nigerian Oil and Gas Industry Content Development Act (NOGIC), Nigeria is still importing over 70% of goods and services in offshore and deep water projects, while also failing to meet the obligation of providing 100% of goods and services for land and swamp operations by Nigerian indigenous businesses.

Accordingly resolves to:

i. Mandate the Senate Committees on Petroleum Upstream and Gas to conduct a public hearing to investigate the implementation of local content with a view to determining the degree of compliance with the Nigerian Oil and Gas Industry Content Development Act (NOGIC) by industry operators; and

ii. Mandate the Senate Committees on Petroleum Upstream and Gas to investigate the utilization of the Nigerian Content Development Fund.

8. The need to sustain the laudable Anti-Polio campaign in Nigeria.
Sen. Nelson Efiong *(Akwa Ibom South)*

The Senate:

Notes that Poliomyelitis (Polio) is a highly infectious viral disease, which mainly affects young children;

Notes further that the virus is transmitted by person -to -person spread mainly through faecal-oral route or less frequently through contaminated water or food and multiplies in the intestine, from where it invades the nervous system leading to paralysis;

Recalls that in 1988, the World Health Assembly resolved to interrupt wild poliovirus(WPV) transmission worldwide and by 2006, the annual number of WPV cases had decreased by more than 99% and only four remaining countries had never interrupted WPV transmission-Afghanistan, India, Nigeria, and Pakistan with India being removed from the list of endemic countries in March 2014;

Regrets that wild polio virus has taken a lot of toll on our country in terms of human and material resources;

Recalls with nausea the serious challenges encountered in the noble campaign against polio-immunization boycott, a brutal boko haram insurgency, killing of vaccinators, the challenge of reaching every child in even the most remote villages, armies of women mobilized alongside religious and community leaders, etc;

Aware that as recently as 2012, Nigeria accounted for more than half of all polio cases worldwide which necessitated a more concerted effort by Government, civil society, religious leaders and tens of thousands of health workers to stop polio;

Glad that due to the concerted efforts and national persistence, no new cases of the disease has been reported in the past 15 months;

Pleased that on Monday, October 26th 2015, Nigeria received a delisting certificate from the World Health Organization indicating the removal of Nigeria from the list of polio-endemic countries;

Notes however that the certificate is with a proviso that if the current efforts were sustained till 2017, Nigeria would be completely de-listed from among polio infected countries of the world;

Satisfied that this feat represents a triumph for Nigerians, for Africa and for the millions of people around the world who have committed themselves to eradicating this ancient, cruel disease.

Accordingly resolves to:

i. *Commend* vaccinators, community mobilizers, parents and care givers, traditional rulers and religious leaders for their support in making Nigeria Polio free;

ii. *Congratulate* the Global Polio Eradication Initiative, comprising of the world Health Organization, Rotary International, UNICEF, Bill and Melinda Gates Foundation and other development partners for leading the largest collective public health movement in history; and

iii. *Urge* the Federal Government and other relevant agencies to sustain the current momentum and continue to regard the anti-polio campaign as an emergency until Nigeria is completely free in 2017.

9. Need to include Pan- Africanism in Nigerian Secondary Schools Curriculum
Sen. Shehu Sani *(Kaduna Central)*

The Senate:

NOTES that the concept of Pan Africanism started in the 19th Century as an ideology and movement that encouraged the solidarity of Africans worldwide based on the general believe that unity is vital and pertinent to economic, social and political progress for the people of African descent. In 1900, the Trinidadian Barrister-Henry Sylvester Williams called a conference that took place in Westminster Hall, London to "protest stealing of lands in the colonies, racial discrimination and deal with other issues of interest to Blacks";

NOTES also that in 1958, Kwame Nkrumah, the first leader of independent Ghana, called a meeting of all independent African states in Accra, comprising of Sudan, Egypt, Tunisia, Ethiopia, Liberia and Morocco in order to recommit themselves to support agitation for independence for the rest of the continent;

AWARE that as a result of the 1958 meeting in Ghana, by 1963 there were 31 independent nations in Africa and consequently the Organization of African Unity (OAU) was formed in May, 1963 to further galvanize African countries;

WORRIED that the struggle for the unity of Africa, as championed by the founding fathers of the African continent like Chief Nnamdi Azikiwe and others has rapidly evaporated from the psyche of the present and up-coming generation;

CONCERNED that if our children are not inspired about Africanism, the dream of our founding fathers about the unity of Africa will be a mere folk tale and will continue to remain a reference for historical purposes;

COGNISANCE that Julius Kambarage Nyerere, in 1966, while addressing African leaders said -

"---Your Excellencies, we have achieved many things in Africa in recent years, and can look back with pride at the distance we have travelled. But we are a long way from achieving the thing we originally set out to achieve, and I believe there is a greater danger that we might now voluntarily surrender our greater dream of all";

COGNISANCE ALSO that Nigeria as the giant of Africa which has helped many African countries to attain self-rule, there is the need to inculcate the spirit of Pan- Africanism in the Nigerian child to be nurtured in a manner that we can continue to be "our brothers' keeper" and foster the objective of our founding fathers; and

CONSCIOUS AND DETERMINED to ensure that we do not voluntarily surrender the dream of the founding fathers of Africa and considering the strategic importance of Nigeria in global affairs in general and Africa in particular,

Accordingly resolves to:

i. *Urge* the Federal Ministry of Education to include Pan- Africanism in Nigerian Secondary Schools curriculum; and

ii. *Observe* a minute silence in honor of late Pan- Africanists.

10. The urgent need for value orientation and re-introduction of history as a course of study in the nations' educational sector.
Sen. Malam Ali Wakili, MNI *(Bauchi South)*

The Senate:

Recalls with nostalgia the cherished values of honesty, discipline, good work, ethics, excellent inter-personal relationships, competitive collectivism, ethnic and religious tolerance amongst the citizenry and purposeful leadership within the Nigerian State;

Further recalls that the above qualities were prevalent in the polity during colonialism and some years after independence, despite colonial over-rule and its concomitant effect on the traditional and religious institutions of the country;

Worried that the unfortunate Civil War and the prolonged military incursions into governance contributed to the gradual debasement of our value system and deteriorated things further;

Alarmed that indiscipline in private and public life, endemic corruption, individualism, selfishness, materialism, religiosity without corresponding fear of God characterized the daily activities of the people;

Aware that in spite of successive Governments concerted efforts to address the situation through retirement of perceived corrupt public officials, programmes of War Against Indiscipline (WAI), Mass Mobilization for Social Justice and Economic Recovery (MAMSER), establishment of anti-corruption agencies such as the EFCC and ICPC: formulation/enactment of policies and laws such as the National Economic Empowerment and Development Strategy (NEEDS), the Fiscal Responsibility Act, the Freedom of Information Act etc, which are all aimed at achieving sustainable socio-economic development and national integrity, the laudable efforts sadly did come to naught;

Observed that the advent and usage of information and communication technology which gave rise to the internet and social media further compound the worsening state of things, as information and misinformation, news and pseudo-news, rumours, unverified statements: facts verified and unverified, plausible fictions about leaders, politicians, elected officials, debasement of religious values, inciting articles and statements, pornography, slander, libel etc are sent out unfettered and without restraint complicated the already worsened state of the Nations' Value System;

Further observed that due to some policy inconsistencies and somersault in the educational system, teaching of history and its study to the university level which has been carried out in Nigeria was phased out completely;

Disturbed by the sad development, observers and scholars believed it is not only a major factor responsible for deterioration of our Value System but is equally worrisome given the ongoing rumours that studies of Christian Religious Knowledge and Islamic Religious Knowledge might suffer the same fate as they are down-played and relegated; and

Further disturbed that the eroding and dying state of our Value System is compounded by the misusage of information and communication technology, internet, social media tools etc.

Accordingly resolves to:

i. *Call* on the various arms of Government: Federal, State and Local Governments as a matter of urgency to initiate a means of rejuvenating our fallen Value System;

ii. *Urge* all institutions, religions and community organizations, traditional institutions, civil society groups and all concerned to arrest the deteriorating state of our Value System;

iii. *Mandate* the Committee on Education to liaise with the Federal Ministry of Education, the National Universities Commission (NUC), National Commission for Colleges of Education (NCCE) to immediately re-introduce the study of History as a core subject and degree of its own; and

iv. *Direct* the National Orientation Agency (NOA) to discharge its statutory duties effectively.

11. Urgent need to decongest the Nigerian Prisons
Sen. Samuel N. Anyanwu *(Imo East)*

The Senate:

Notes with concern the problem of congestions in the Nigerian Prisons that have continued to confront the nation's criminal justice system;

Notes further that the problem of prison congestion in Nigeria has become a major challenge that constitutes an environmental hazard to the lives of inmates;

Aware that the prison inmates comprise of those whose trial proceedings have been determined and consequently sentenced to imprisonment, and inmates on awaiting trial list;

Observes that the overpopulation in the Nigerian prison is caused by a steady rise in the figure of persons awaiting trials which constitute over 70% of the total inmates recorded in the prisons across the country;

Aware that remanding someone in prison custody on awaiting trial beyond the time he or she would have ordinarily spent if sentenced for the offence he or she is charged is an infringement of the fundamental rights of the individual guaranteed under section 35 of the 1999 constitution (As Amended);

Aware further, that the provisions of section 35 of the 1999 constitution (As Amended) demands that an accused must be brought before a competent court within a reasonable time or be released from custody two to three months from the date of arrest;

Concerned that majority of the inmates on the awaiting trial list have been in Prison custody for years without their trial proceeding further in Court after being remanded or the prosecutor of the criminal matter involving the detainee deliberately abandoned the accused in custody thus creating overcrowding in the prisons;

Worried that the congestion in the Nigerian prisons caused by the rising number of detainees on awaiting trial portends a great danger to the life of inmates as much as it negates the fundamental rights of citizens guaranteed in the constitution. Again the prison environment and treatment of inmates should reflect human values and sensitivity to life and justice;

Accordingly resolves to:

i. Urge the Chief Justice of the Federation and the Comptroller General of Prison to immediately conduct an exercise into the records of inmates in the Nigerian Prisons to ascertain, identify and review the cases of inmates under the awaiting trial list who have been dumped in the prison custody without the due and diligent prosecution of their cases beyond the period provided for in the constitution for the purposes of granting them freedom;

ii. Urge the Attorney General of the Federation and Chief Justices of the States to exercise their constitutional right by setting free inmates whose trials have lingered or discontinued for lack of evidence or follow up by the prosecutor; and

iii. Urge the President and Commander-in-Chief of the Armed Forces of the Federation and the State Governors to exercise their prerogative of mercy by decongesting the prisons of inmates whose detention are manifestly unlawful and those who have been in detention for periods longer than they would have served if convicted for the alleged offences they are charged for in order to save our prisons from becoming a breeding grounds for epidemic.

12. Need to revisit the regulatory conflict between Joint Admission and Matriculation Board (JAMB) and Universities in offering admissions in Nigeria.
Sen. Umaru Ibrahim Kurfi *(Katsina Central)*

The Senate:

Notes that the Joint Admissions and Matriculation Board (JAMB) was established in 1976 and saddled with the responsibility of streamlining and coordinating admissions, as well as determining who is admitted into universities and other tertiary educational institutions in Nigeria;

Further Notes that the Nigerian Universities Commission (NUC) is the Federal umbrella organization which oversees the administration of higher education in Nigeria, and prior to 2005, the only criteria needed for candidates seeking admission into tertiary institutions was for such candidate to possess a certain score at his or her JAMB examination;

Aware that the laudable objectives of JAMB began to suffer retrogression shortly after its inception as some universities admitted students outside the list sent by JAMB, and rejecting candidates with admission letters from JAMB on the ground that they have to comply with their own internal quota and catchment criteria, coupled with the issue of malpractice that plagued the JAMB examination;

Further aware that as scores of successful JAMB candidates turned out to be ill equipped for university education, the Federal Government, in 2005, under the leadership of President Olusegun Obasanjo, introduced the policy of post - JAMB screening by universities, which made it compulsory for tertiary institutions to screen candidates after JAMB results and before giving admission;

Worried that while this new development was aimed at addressing the problem of student quality, it re - introduced and entrenched many of the problems sought to be eliminated through JAMB;

Cognizant that while the executives introduced the post - JAMB policy to remedy the decay in educational standard in higher institutions of learning, there have been public outcry of extortion from candidates despite the rigorous test they pass through at JAMB;

Disturbed that as the integrity of the post - JAMB examination is open to questions, as the pecuniary motive of the respective institutions has become so visible to the fore that there is little pretence about maximizing income flows through these internal examinations; and

Regrets that the introduction of the Post - JAMB examination has to a large extent failed to remedy the problems associated with JAMB and as such, its continued existence posed more challenges for Nigeria's educational system.

Accordingly resolves to:

i. Urge the Senate to direct JAMB to develop strategy to ensure efficiency in the conduct of JAMB examination;

ii. Urge the Senate to pass a resolution to direct the Nigerian Universities Commission to scrap the Post - JAMB exercise in its entirety; and

iii. Urge the Senate to make such further directives as it deems expedient in the circumstance.

COMMITTEE MEETINGS

	Committee	*Date*	*Time*	*Venue*
1.	Banking, Insurance and Other Financial Institutions	Thursday, 23rd June, 2016 *(Interactive Session)*	12.00noon	Conference Hall 022 Senate New Building
2.	2013 Audit Report on NEITI *(Ad-hoc Committee)*	Thursday, 23rd June, 2016	2.00p.m	Committee Room 231 Senate New Building
3.	Finance	Thursday, 23rd June, 2016	3.00p.m	Committee Room 204 Senate New Building
4.	Judiciary, Human Rights and Legal Matters	Thursday, 23rd June, 2016	11.00a.m	Committee Room 313 Senate New Building

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