



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 14th July, 2020

1. The Senate met at 10:41 am. The President of the Senate read prayers.

2. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings of Wednesday, 8th July, 2020.

Question was put and the Votes and Proceedings were approved.

3. **Announcement:**

Conference Committee:

The President of the Senate named the following Senators as Conferees on Police Act CAP P19 LFN 2004 (Repeal & Re-enactment) Bill, 2020 (SB. 181):

(i)	Senator Dauda H. Jika	—	Chairman
(ii)	Senator Ike Ekweremadu	—	Member
(iii)	Senator Emmanuel Bwacha	—	Member
(iv)	Senator Bello Mandiya	—	Member
(v)	Senator Patrick A. Akinyelure	—	Member
(vi)	Senator Sandy O. Onor	—	Member
(vii)	Senator Hezekiah A. Dimka	—	Member

4. **Petitions:**

Rising on Rule 41, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to seven (7) petitions from the Office of the President of the Senate as follows:

- (i) Blessing Adanma Njoku, against Director General of Pension Transitional Arrangement Directorate (PTAD) a passionate appeal for intervention to reinstate her;
- (ii) C. C. Obikwelu Esq. of Chidiobieze Chambers, on behalf of Mrs. Stella N. Ekwerekwu, against the Inspector General of Police, over Unlawful Arrest, Intimidation of a Toddler (Master Samuel Chidera Ekwerekwu), an eight months old baby, Miss Nkechi Helen Ogbunankwo and others;
- (iii) Messrs Isa A. A and two others, against the Hon. Minister of Humanitarian Affairs, Disaster Management and Social Development seeking urgent intervention to reverse wrongful disengagement of volunteers from N-Power Social Intervention Scheme;
- (iv) Enaffa Georgewill and Comrade John Ihua, on behalf of Rivers Civil Society, against the Inspector General of Police, over Extra-judicial killing and unprofessional conduct of Police Officers of Anti- Kidnapping unit of Rivers State Police Command;

- (v) Liman Abdullahi & two others of Messrs Ultimate Chambers, Omar & Co., over threat and degrading (Inhuman) treatment of Corporal Lawal Munachi by Mohammed Ibrahim (the then Acting Col) 244, RECC Battalion Shaki, Oyo State;
- (vi) E. C. Igweokolo Esq. of EC Igweokolo & Co. against the Inspector General of Police, over the violation of Human Rights and the refusal of the Inspector General of Police to Obey Judgement of the Federal High Court; and
- (vii) Fawowe David Aderogba, against the Executive Vice Chairman, Managing Director of Engineering Materials Development Institute, an appeal for full implementation of Court Order/Judgment.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within four (4) weeks.

5. Matter of Urgent Public Importance:

Rising on Rule 42, Senator Binos D. Yaroe (*Adamawa South*) drew the attention of the Senate to the day designated as African Anti-corruption Day which was Saturday, 11th July, 2020. He emphasised on the need for Nigeria to celebrate a day like this. He sought and obtained the leave of the Senate to present the matter on the next legislative day.

Matter to stand over to the next Legislative Day [Rule 42(2)].

6. Matter of Urgent Public Importance:

Rising on Rule 42, Senator Abba P. Moro (*Benue South*) drew the attention of the Senate to social media complaints by Nigerians arising from illicit and excessive charges by Commercial Banks on customers account across the country. He sought and obtained the leave of the Senate to present the matter.

Matter to stand over to the next Legislative Day [Rule 42(2)].

7. Personal Explanation:

Rising on Rule 43, Senator Yahaya I. Oloriegbe (*Kwara Central*) drew the attention of the Senate to the advent of Coronavirus/COVID-19 in February, 2020 to the shore of Nigeria. He commended the Executive Arm of Government for the setting up of the Presidential Task Force on COVID-19 which has been coordinating the challenges of the pandemic. He stated that on Thursday, 9th July, 2020, when a midterm review was made by the Executive and Legislative Arms, the forum observed that COVID-19 is now airborne. He emphasised that this development makes it mandatory for Nigerians to always wear face mask. He also stressed that some Nigerians believed that COVID-19 is not real and is meant only for the rich or elite in the society. He encouraged the elderly to stay at home to reduce the rate of fatality and the need for every Local Government Area of the Federation to collect COVID-19 samples for test.

8. Personal Explanation:

Rising on Rule 43, Senator Bulus K. Amos (*Gombe South*) drew the attention of the Senate to the continuous destruction of bridges on the old Gombe-Yola road by unscrupulous Nigerians in search of iron-rods. He stated that these bridges are still relevant to the villagers as means of transportation. He urged the Federal Ministry of Works and Housing to intervene.

9. Personal Explanation:

Rising on Rule 43, Senator Uche L. Ekwunife (*Anambra Central*) drew the attention of the Senate to deplorable state of the Otukpo-Enugu road. She stated that the condition of the road was so terrifying that something urgent should be done before its total collapse. She further stated that robbers and kidnappers have turned most of the bad portions of the road into criminal hot spots, and portions are also prone to accidents especially at nights.

She urged the Federal Ministry of Works and Housing and the Federal Road Maintenance Agency (FERMA) to urgently intervene to remedy the situation on the Otukpo-Enugu road and other bad roads across the country.

10. Personal Explanation:

Rising on Rule 43, Senator Muhammad E. Bima (*Niger South*) drew the attention of the Senate to the destructive rainstorm which occurred on Monday, 8th June, 2020 in Mokwa, Lapai and Gbako Local Government Areas affecting some communities and towns in Niger South Senatorial District. He stated that the victims were currently displaced to different villages and communities, living in deplorable conditions after being rendered homeless and traumatized, despite COVID-19 Pandemic where every citizen is advised to stay at home for safety. He urged the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development through National Emergency Management Agency (NEMA) to provide relief materials to the victims.

11. Personal Explanation:

Rising on Rule 43, Senator Chukwuka G. Utazi (*Enugu North*) drew the attention of the Senate to the recent newspaper publications and social media reports on Mr. Innocent Chukwuma's products in Nnewi, Anambra State. He stated that Mr. Chukwuma promotes the image of Nigeria in automobile production of cars and buses, which have about 70% local content. He stressed that Innoson Motors engaged in export of vehicle to West African countries particularly Republics of Sierra Leone and Ghana respectively. He urged for the sustenance of the reputation of the company by Nigerians to enable it grow stronger.

12. Personal Explanation:

Rising on Rule 43, Senator Danjuma T. La'ah (*Kaduna South*) drew the attention of the Senate to the renewed incessant killings of his people in Kaduna South Senatorial District. He appealed to the National Assembly leadership to urge the Federal Government to deploy security men to this area to protect lives and properties of indigenes.

13. Presentation of Bills:

- (i) Open Distance Learning Bill, 2020 (SB. 446) — *Read the First Time.*
- (ii) Electoral Act (Amendment) Bill, 2020 (SB. 467) — *Read the First Time.*
- (iii) National School Feeding (Establishment, etc.) Bill, 2020 (SB. 468) — *Read the First Time.*
- (iv) Labour Act (Amendment) Bill, 2020 (SB. 469) — *Read the First Time.*
- (v) National Animal Identification and Management Bureau (Establishment, etc.) Bill, 2020 (SB. 471) — *Read the First Time.*

14. Committee on Tertiary Institutions and TETFUND:

Motion made: That the Senate do receive the Reports of the Committee on Tertiary Institutions and TETFUND on the following:

- (a) City University of Technology Auchi (Establishment, etc.) Bill, 2020 (SB. 22);
- (b) Nigerian Maritime University Okerenkoko (Establishment, etc.) Bill, 2020 (SB. 272);
- (c) Federal University of Technology Manchok, Kaduna State (Establishment, etc.) Bill, 2020 (SB. 141); and
- (d) Federal Polytechnic Aba (Establishment, etc.) Bill, 2020 (*Senator Sandy O. Onor — Cross River Central*).

Question put and agreed to.

Reports Laid.

15. Committee on Health:

Motion made: That the Senate do receive the Report of the Committee on Health on the National Health Insurance Scheme Act, CAP N42 LFN, 2004 (Repeal & Re-enactment Bill, 2020 (SB. 65) (Senator Yahaya I. Oloriegbe — Kwara Central).

Question put and agreed to.

Report Laid.

16. Joint Committee on Communications and Trade & Investment:

Motion made: That the Senate do receive the Report of the Joint Committee on Communications and Trade & Investment on the investigation on the increasing rate of Drop Calls and other Unwholesome practices by Telecommunications Network Operators in Nigeria (Senator Michael O Bamidele — Ekiti Central).

Question put and agreed to.

Report Laid.

17. Committee Land Transport:

Motion made: That the Senate do receive the Report of the Committee on Land Transport on the National Transport Commission (Establishment, etc.) Bill, 2020 (SB. 427) (Senator Abdulfatai Buhari — Oyo North).

Question put and agreed to.

Report Laid.

18. Executive Communication

Confirmation of the Nominations of the following persons for Appointment as Non-Career Ambassadors:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the Confirmation of the Nominations of the following persons for Appointment as Non-Career Ambassadors (Senate Leader).

S/N	NAME	POSITION	STATE
1.	Mr. John J. Usanga	Non-Career Ambassador	Akwa-Ibom
2.	Air Commodore Peter Ndabake Gana (Rtd.)	Non-Career Ambassador	Niger

Question put and agreed to.

Request accordingly referred to the Committee on Foreign Affairs to report within two (2) weeks.

19. Executive Communication

Confirmation of the Nomination of Prof. Umar Garba Danbatta for Appointment as Executive Vice Chairman of the Board of the Nigerian Communications Commission (NCC):

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the Confirmation of the Nomination of Prof. Umar Garba Danbatta for Appointment as Executive Vice Chairman of the Board of the Nigerian Communications Commission (NCC) (Senate Leader).

Question put and agreed to.

Request accordingly referred to the Committee on Communications, and Senator Michael O. Bamidele was mandated to lead the Committee and report back on Tuesday, 21st July, 2020.

20. Executive Communication

Confirmation of the Nominations of the following persons for Appointment as Members of the Code of Conduct Bureau (CCB):

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the Confirmation of the Nominations of the following persons for Appointment as Members of the Code of Conduct Bureau (CCB) (*Senate Leader*).

S/N	NAME	DESIGNATION	STATE	ZONE
1.	Barr. Ben Umeano	Member	Anambra	South-East
2.	Hon. Ehiozuwa Johnson Agbonayinma	Member	Edo	South-South
3.	Olayinka Babatunde Balogun	Member	Ogun	South-West

Question put and agreed to.

Request accordingly referred to the Committee on Ethics, Privileges and Public Petitions to report within two (2) weeks.

21. Committee on Judiciary, Human Rights and Legal Matters:

Report on the Criminal Code Act Cap. C.38, Laws of the Federation of Nigeria, 2004 (Amendment) Bill, 2020 (SB. 02):

Motion made: That the Senate do consider the Report of the Committee on Judiciary, Human Rights and Legal Matters on the Criminal Code Act Cap. C.38, Laws of the Federation of Nigeria, 2004 (Amendment) Bill, 2020 (*Senator Michael O. Bamidele — Ekiti Central*).

Question put and agreed to.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE CRIMINAL CODE ACT CAP. C.38, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO DELETE THE STATUTE OF LIMITATION ON DEFILEMENT, INCREASE PUNISHMENT FOR THE OFFENCE OF KIDNAPPING, REMOVE GENDER RESTRICTIONS IN THE OFFENCE OF RAPE AND FOR RELATED MATTERS, 2020.

Clause 1: Amendment of Cap. C38 LFN, 2004

The Criminal Code Act Cap. C38 LFN, 2004 (referred to as "the Principal Act") is hereby amended as set out in this Bill.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Michael O Bamidele — Ekiti Central*) — *Agreed to.*

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Amendment of Section 218

Section 218 of the Principal Act is amended by deleting in line 5 the words; "A prosecution for either of the offences defined in this section shall be commenced within two months from the date the offence is committed".

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Michael O Bamidele — Ekiti Central*) — Agreed to.

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Amendment of Section 221

Section 221 of the Principal Act is amended as follows:

- (a) in line 4, by substituting for the words 'an idiot or imbecile', the words "mentally challenged", and
- (b) in line 10, by deleting the words: "A prosecution for any of the offences defined in this section of this Code shall be begun within two months after the offence is committed".

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Michael O Bamidele — Ekiti Central*) — Agreed to.

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Amendment of Section 357

Section 357 of the Principal Act is amended as follows:

- (a) in line 1, by substituting for the words 'woman or girl, without her consent, or with her consent', the words "any person, without consent, or with consent",
- (b) in line 3, by substituting for the words 'in the case of a married woman, by personating her husband, is guilty of an offence which is called rape' in line 3, the words 'in the case of a married man or woman, by personating his wife or husband, is guilty of an offence which is called rape'.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Michael O Bamidele — Ekiti Central*) — Agreed to.

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: Amendment of Section 364

Section 364 (2) of the Principal Act is amended in line 5 by substituting for the words "is guilty of a felony, and is liable to imprisonment for ten years", the words "is guilty of a felony and is liable to imprisonment for life".

Amendment Proposed:

- (i) "Immediately after the word "life" in line 4, insert the words "except where such kidnapping leads to death of the kidnapped, the kidnapper is liable to death if found guilty" instead thereof (*Senator Ibrahim A. Gobir — Sokoto East*);

Question that the amendment be made, put and agreed to.

(ii) Principal Act

Section 364 - (2) unlawfully imprisons any person within Nigeria in such a manner as to prevent him from applying to a court for his release or from discovering to any other person the place where he is imprisoned, or in such a manner as to prevent any person entitled to have access to him from discovering the place where he is imprisoned.

“Immediately after the word “prevent” in line 2, insert the words “such person” and wherever it appears in this Section instead thereof (Senator Barau I. Jibrin — Kano North).

Question that the amendment be made, put and agreed to.

Question that Clause 5 as amended do stand part of the Bill, put and agreed to.

Clause 6: Citation

This Bill may be cited as the Criminal Code Act (Amendment) Bill, 2020.

Committee’s Recommendation:

That the provision in Clause 6 be retained (Senator Michael O Bamidele — Ekiti Central) — Agreed to.

Question that Clause 6 do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered Report of the Committee on Judiciary, Human Rights and Legal Matters on the Criminal Code Act Cap. C.38, Laws of the Federation of Nigeria, 2004 (Amendment) Bill, 2020 and approved as follows:

Clauses 1- 4	—	As Recommended
Clause 5	—	As Amended
Clause 6	—	As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — Resolved in the Affirmative.

Motion made: That the Bill be now Read the Third Time (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

22. Committee on Solid Minerals, Steel Development and Metallurgy:

Need for the Continuous Implementation of Policy Reforms for the Diversification of the Nigerian Economy:

Motion made: That the Senate do consider the Report of the Committee on Solid Minerals, Steel Development and Metallurgy on the Need for the continuous implementation of policy reforms for the diversification of the Nigerian economy through the Solid Mineral Sector (Senator Umaru T. Al-Makura — Nasarawa South).

Question put and agreed to.

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Federal Government to collaborate with States and Local Governments; and the Private Sector to invest in infrastructure development that will provide private investment in all areas of Solid Minerals Sector — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Federal Government to invest in the collection of Geoscientific information/data of estimates for Mineral deposits and grade of our Mineral reserves so as to attract investors — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge for a National Mineral Exploration Project to be funded by the Federal Government, to develop mining blocks to definitive feasibility study (DFS) stage to attract investors to the Nigerian solid minerals sector. The vehicle to be used to execute this project is proposed to be a Special Purpose Vehicle (SPV) modelled operationally like the now defunct Nigerian Mining Corporation (NMC).

Credit Suisse has expressed willingness to finance a detailed exploration project in Nigeria that will achieve the above mentioned objective to the tune of over \$150,000,000.00 but will require the Federal Government to secure the project funding with a Sovereign Guarantee — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do urge the Financial Reporting Council of Nigeria to produce Accounting Standards for the Solid Minerals sector as it has done for the petroleum sector. The regulatory authorities in the Solid Minerals sector should ensure strict enforcement of the regulations in accordance with their extant laws.

In order to achieve the above objective, the Committee on Solid Minerals, Mines, Steel Development and Metallurgy of 9th National Assembly must ensure proactive oversight of the regulatory and administrative functions of the Federal Ministry of Mines and Steel Development and its Departments and Agencies — *Agreed to.*

Proposed Resolution (v):

Question: That the Senate do take a critical look at the ease of doing mining business in Nigeria in order to identify and expunge all legislative encumbrances hindering real growth and development of the mining sector in Nigeria.

Nigeria's mining sector faces a range of important challenges, however these can be solved if a clear plan is articulated and the challenges addressed within the right strategic framework — *Agreed to.*

Proposed Resolution (vi):

Question: That the Senate do review the Government-to-Government agreement with the Government of Russia on the resuscitation of the Ajaokuta Steel Company to ensure the proposed development partnership sees the Steel Company commence production of liquid steel in the most realistic time frame while providing legislative support and funding approval for the Nigerian Iron Ore Mining Company (NIOMCO) to meet its obligation of supply of 2,156,000 MT of Iron Ore (with 63% - 64% Fe concentration) for the production of 1,200,000 MT of liquid Steel annually.

The National Steel Raw Material Exploration Agency (NASRIVIEA) will require adequate funding to carry out its mandate of steel raw material exploration to support the drive to have Ajaokuta Steel Company operating at full capacity. These raw materials include coking coal, limestone, dolomite and refractories — *Agreed to.*

Proposed Resolution (vii):

Question: That the Senate do review the investment policies governing transportation and logistics sub-sector. There is need to be very clear incentives introduced to stimulate private capital injection into this critical enabler.

The NEXIM Bank SEALINK Project; a dedicated regional shipping operation designed to bridge maritime infrastructure gaps and promote short sea intra-African trade. This project and more like it should be encouraged by the legislature as it would rapidly open up the industry on an industrial scale encouraging more private participation and increased capital inflows. There should be another one with a financial house and land transport outfit — *Agreed to.*

Proposed Resolution (viii):

Question: That the Senate do urge the Federal Government to stimulate the value chain in the Solid Minerals industry and in the Nigerian economy as a whole by critically looking at the need for infrastructural development in the Sector as provided for under the National Integrated Infrastructure Master plan. There is also a need for the harmonization of relevant tax laws by FIRS and SBIR to eliminate duplication of positions so that potential investors will not be scared away — *Agreed to.*

Proposed Resolution (ix):

Question: That the Senate do encourage that a reporting framework be developed, which will make it mandatory for operators in the sector to disclose their production quantities, while the claims are to be verified by the mines officers covering the area. The legislature must work to ensure there is a collaboration between the Federal Ministry of Mines and Steel Development, State Governments, Federal Ministry of Works and Housing and other agencies awarding construction related contracts to compute royalty on the basis of bill of quantities submitted by companies.

This should also apply to cement companies. Royalties should be computed on the basis of raw materials (limestone, sand, gypsum, coal and iron ore) used in producing each ton of cement — *Agreed to.*

Resolved:

That the Senate do:

- (i) urge the Federal Government to collaborate with States and Local Governments and the Private Sector to invest in infrastructure development that will provide private investment in all areas of Solid Minerals Sector;
- (ii) urge the Federal Government to invest in the collection of Geoscientific information/data of estimates for Mineral deposits and grade of our Mineral reserves so as to attract investors;
- (iii) urge for a National Mineral Exploration Project needs to be funded by the Federal Government, to develop mining blocks to definitive feasibility study (DFS) stage to attract investors to the Nigerian solid minerals sector. The vehicle to be used to execute this project is proposed to be a Special Purpose Vehicle (SPV) modelled operationally like the now defunct Nigerian Mining Corporation (NMC).

Credit Suisse has expressed willingness to finance a detailed exploration project in Nigeria that will achieve the above mentioned objective to the tune of over \$150,000,000.00 but will require the Federal Government to secure the project funding with a Sovereign Guarantee;

- (iv) urge the Financial Reporting Council of Nigeria to produce Accounting Standards for the solid minerals sector as it has done for the petroleum sector. The regulatory authorities in the solid minerals sector should ensure strict enforcement of the regulations in accordance with their extant laws.

In order to achieve the above objective, the Committees on Solid Minerals; and Mines, Steel Development and Metallurgy of 9th National Assembly must ensure proactive oversight of the regulatory and administrative functions of the Ministry of Mines and Steel Development and its Departments and Agencies;

- (v) take a critical look at the ease of doing mining business in Nigeria in order to identify and expunge all legislative encumbrances hindering real growth and development of the mining sector in Nigeria.

Nigeria's mining sector faces a range of important challenges, however these can be solved if a clear plan is articulated and the challenges addressed within the right strategic framework;

- (vi) review the Government-to-Government agreement with the Government of Russia on the resuscitation of the Ajaokuta Steel Company to ensure the proposed development partnership sees the Steel Company commence production of liquid steel in the most realistic time frame while providing legislative support and funding approval for the Nigerian Iron Ore Mining Company (NIOMCO) to meet its obligation of supply of 2,156,000 MT of Iron Ore (with 63% - 64% Fe concentration) for the production of 1,200,000 MT of liquid Steel Annually.

The National Steel Raw Material Exploration Agency (NASRIVIEA) will require adequate funding to carry out its mandate of steel raw material exploration to support the drive to have Ajaokuta Steel Company operating at full capacity. These raw materials include coking coal, limestone, dolomite and refractories;

- (vii) review the investment policies governing transportation and logistics sub-sector. There needs to be very clear incentives introduced to stimulate private capital injection into this critical enabler.

The NEXIM Bank SEALINK Project; a dedicated regional shipping operation designed to bridge maritime infrastructure gaps and promote short sea intra-African trade. This project and more like it should be encouraged by the legislature as it would rapidly open up the industry on an industrial scale encouraging more private participation and increased capital inflows. There should be another one with a financial house and land transport outfit;

- (viii) urge the Federal Government to stimulate the value chain in the Solid Minerals industry and in the Nigerian economy as a whole by critically looking at the need for infrastructural development in the Sector as provided for under the National Integrated Infrastructure Master plan. There is also a need for the harmonization of relevant tax laws by FIRS and SBIR to eliminate duplication of positions so that potential investors will not be scared away; and

- (ix) encourage a reporting framework be developed, which will make it mandatory for operators in the sector to disclose their production quantities, while the claims are to be verified by the mines officers covering the area. The legislature must work to ensure there is a collaboration between the Federal Ministry of Mines and Steel Development, State Governments, Federal Ministry of Works and Housing and other agencies

awarding construction related contracts to compute royalty on the basis of bill of quantities submitted by companies. This should also apply to cement companies. Royalties should be computed on the basis of raw materials (limestone, sand, gypsum, coal and iron ore) used in producing each ton of cement (S/Res/008/02/20).

23. **Motions:**

(a) ***Urgent Need to Resuscitate and Re-Activate the Rehabilitation and Concession of the Eastern Rail Line Project:***

Motion made: That the Senate notes that one of the greatest challenges facing the nation as an emerging economy is poor infrastructural development. Specifically, the movement of goods and persons from one point to another is becoming very cumbersome, if not hazardous;

further notes that the Federal Government in recognition of the fact that there is dire need for transformation of the Nigerian Railway system into a more dynamic and functional one, encouraged the use of rail to reduce road traffic congestion problems and open up the sector to private sector investment to reduce its burden on the Federal Government;

aware that the Federal Government in 2017 entered into an agreement with General Electric, a Boston, United States based company, under the Rehabilitation and Concessioning of Western and Eastern Railway lines to connect Abia, Rivers, Lagos, Oyo, Ogun, Kwara, Kaduna, Katsina, Enugu, Bauchi, Gombe, Plateau, Borno, Yobe and Kano States. And while the Western lines of 1,126 km are from Lagos to Kano and to Nguru 230 km, Funtua 100km and Kaura Namoda 121 km. The Eastern lines are from Port Harcourt to Kaduna 915km, Maiduguri 706 km, Jos 35 km;

also aware that in spite of the fact that the railways are more efficient in haulage of bulk loads over long distances for environmental and economic ease including cargoes and petroleum products, the sector suffers neglect especially the Eastern rail line which commences from Port Harcourt in Rivers State, passing through Abia State, Enugu, Benue, Kogi, Kaduna, Kano to Gombe and terminates in Maiduguri, Borno State;

disturbed that the Eastern rail line had been denied a similar attention given to Lagos-Kano (Western) rail line in spite of the fact that investigations revealed that the Eastern rail line remains the most lucrative route in Nigeria;

more disturbed that in spite of being the most lucrative route in Nigeria and a distance of about 1402 km having passed through Aba in Abia State, the commercial nerve center of the South East is regrettably left in a comatose condition resulting in Nigerian Railway Corporation (NRC) losing at least ₦208 million Naira each year since 2014 totaling ₦1.248 Billion Naira in the past 6 years;

concerned that despite this colossal loss of revenue in this corridor and the attendant economic benefits that would be accrued, the commencement of the rehabilitation and concession of the Eastern Rail lines as entered by the Executive has not taken off like that of the Western corridor with 2 to 3 different companies, GE, Transnet and its consortium partners which include Sino Hydro of China and Dutch based APM Terminals for unexplained reasons;

further concerned that the Federal Executive Council is yet to give approval for the commencement which leaves not just the government as losers but all host communities to the rail line from Port Harcourt to Maiduguri; and

worried that with the non-existence of an airport or inland port in the whole of Abia State with its high volume of commercial activities, it has posed a serious hindrance to export and import activities, a situation that would have necessitated a prioritized consideration and commencement of the concession agreement especially in cognizance that the Senate had approved loans for infrastructure developments.

Accordingly resolves to:

- (i) urge the Executive to prioritize the commencement of the Rehabilitation and Concession agreement for the Eastern corridor in recognition of its huge revenue potentials to the national economy and for movement of people to reduce the burden on dilapidated roads in this axis;
- (ii) mandate the Committee on Land Transport to interface with the relevant Federal Ministry and agencies of the Executive to facilitate the commencement of the Eastern corridor; and
- (iii) mandate the Committee on Compliance to ensure compliance and report within three (3) weeks for further legislative action (*Senator Orji Uzor Kalu — Abia North*).

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Executive to prioritize the commencement of the Rehabilitation and Concession agreement for the Eastern corridor in recognition of its huge revenue potentials to the national economy and for movement of people to reduce the burden on dilapidated roads in this axis — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do mandate the Committee on Land Transport to interface with the relevant Federal Ministry and agencies of the Executive to facilitate the commencement of the Eastern corridor — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do mandate the Committee on Compliance to ensure compliance and report within three (3) weeks for further legislative action — *Agreed to.*

Additional Proposed Resolution

Insert Additional Proposed Resolution as follows:

“That the railway from South to North-East should pass through Kafanchan in Kaduna State” (*Senator Danjuma T. La’ah — Kaduna South*).

Question that the amendment be made, put and agreed to.

Resolved:

That the Senate do:

- (i) urge the Executive to prioritize the commencement of the Rehabilitation and Concession agreement for the Eastern corridor in recognition of its huge revenue potentials to the national economy and for movement of people to reduce the burden on dilapidated roads in this axis;
- (ii) mandate the Committee on Land Transport to interface with the relevant Ministry and agencies of the Executive to facilitate the commencement of the Eastern corridor;

- (iii) mandate the Committee on Compliance to ensure compliance and report within three (3) weeks for further legislative action; and
- (iv) the railway from South to North-East should pass through Kafanchan in Kaduna State (S/Res/009/02/20).

(b) ***Urgent need to ensure strict compliance with statutory regulations and provisions regarding the Nigerian Diving Sector and also urge the Federal Ministry of Labour and Employment to as a matter of urgency inaugurate the Diving Advisory Board to ensure the regulation of its operations in the sector:***

Motion made: The Senate Notes that in line with the provisions of Diving At Work Regulations, 2018, the Federal Ministry of Labour and Employment is mandated to set up a Divers Advisory Board to regulate the activities of divers in the diving sector and oversee the activities of diving including safety, education, remuneration and local content development;

also notes that in recent times there has been rising complaints by Nigerian Divers who blame the underdeveloped state of the profession on unregulated practices and foreign dominance to the failure of the Federal Ministry of Labour and Employment to establish a Diving Advisory Board;

aware that offshore oil and gas exploration comprising wells drilled in shallow or deep-water requires commercial diving intervention to execute a range of hazardous underwater activities in extremely challenging irrespirable environments; hence, commercial diving has become one of the most dangerous but rewarding professions in Nigeria and all over the world;

also aware that in line with the Schedule of the Nigerian Oil and Gas Industry Content Development Act (2010) local participation in all aspects of oil operations, include the following: 65 percent of divers in offshore energy projects must be Nigerian; 60 percent of steel ropes used in projects must be made locally; all contracts awarded in excess of \$100 million must include a "labor clause," mandating the use of minimum percentage of Nigerian labor or the use of indigenous companies of a minimum size;

worried that despite the above provisions including the provisions of Section 28 (1) of the same Act which provides inter alia that Nigerians shall be accorded first consideration for employment and training in any project executed by any operator or project promoter in the Nigerian oil and gas industry, there have been recurring concerns by Nigerians over the domination of foreign divers, who have allegedly flooded the Nigerian oil and gas market depriving the indigenous divers by about 90 per cent;

also worried that according to the President, Under Water and Hyperbaric Medical Society of Nigeria (UHMSO), over 2,000 Nigerian divers are recently being unemployed at the expense of the employment of foreign divers;

concerned that with rising unemployment rates in the face of the viability of the diving sector and its position to contribute revenue to the economy while possibly catering for over 10 percent of the nation's unemployment margin, it is curious to note that the inability of the Federal Ministry of Labour and Employment remains the impediment in this regard; and

desirous to enforce compliance with statutory provisions under the Nigerian Local Contents law and particularly, the diving profession in Nigeria in order to ensure the proper regulation of the profession for optimal performance towards strengthening the Nigerian economy and its workforce.

Accordingly resolves to:

- (i) mandate the Committee on Local Contents to liaise with Federal Ministry of Labour and Employment with a view to causing the immediate inauguration of the Divers Advisory Board to regulate and oversee the activities of diving in Nigeria; and
- (ii) mandate the Committee on Local Contents to investigate the claims of contravention of relevant statutory provisions in the area of diving in the oil and gas sector (*Senator Sadiq S. Umar — Kwara North*).

Debate:

Proposed Resolution (i):

Question: That the Senate do mandate the Committee on Local Contents to liaise with Federal Ministry of Labour and Employment with a view to causing the immediate inauguration of the Divers Advisory Board to regulate and oversee the activities of diving in Nigeria — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do mandate the Committee on Local Contents to investigate the claims of contravention of relevant statutory provisions in the area of diving in the oil and gas sector — *Agreed to.*

Resolved:

That the Senate do:

- (i) mandate the Committee on Local Contents to liaise with Federal Ministry of Labour and Employment with a view to causing the immediate inauguration of the Divers Advisory Board to regulate and oversee the activities of diving in Nigeria; and
 - (ii) mandate the Committee on Local Contents to investigate the claims of contravention of relevant statutory provisions in the area of diving in the oil and gas sector (*S/Res/010/02/20*).
- (c) ***The Need for the Establishment of a Military Unit in Jigawa State:***
Motion made: The Senate notes with concern the invasion of our communities by Insurgents and Bandits fleeing mounting pressure from across other northern part of the country where Security Agencies are tackling them head on;

notes also the need to secure our communities from these migrant alien settlers, masquerading and mixing with herders trooping to the area because of the fertile flood plain and thick forest cover;

aware that the zone is bordered by Yobe and Bauchi States and Niger Republic and has faced challenges of insurgents sneaking in to take temporary refuge from army operations in there, but proactive measures by the security operatives in conjunction with a reporting mechanism using traditional institutions have ensured they are neutralized before they localize and take root;

worried that most of these herders and other armed groups that mingle with them appear to be non-nationals and their activities in the last 12 months have assumed a dangerous dimension resulting in attacks and raiding of villages;

worried also that they have also adopted unwarranted destruction of farm produce to discourage farmers from planting in what appears to be an extension of the strategy in the far northwest to disrupt agricultural production and precipitate calamitous food insecurity in the country to aid in their strategy of creating instability through hunger and local economic devastation. The three local Governments affected form the flood plain of the Hadejia River Basin and are the most productive in the zone providing fertile land and abundant water to thousands of families who can achieve 3 harvest annually;

saddened that the perpetrators have no fear or regard for the police and the local inhabitants are also losing confidence in the authorities as no one has yet been apprehended and successfully prosecuted, and our Joint Operations Squad, "Operation Salama" is covering all 27 local governments in the State so dedicating it to that operation will seriously hamper its larger overall objective; and

concerned that several lives have been lost as the marauders mercilessly hack down innocent villagers in a gruesome manner with the latest incident claiming almost 10 lives last week. There is need to take preventive measures so as to avert the Zamfara and Katsina experience.

Accordingly resolves to:

- (i) urge the Federal Government to direct the immediate deployment of a Semi-Permanent Platoon or forward operation base of soldiers to decisively uproot the marauders from the surrounding communities so they can resume their farming and other economic activities; and
- (ii) urge the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development through the National Emergency Management Agency (NEMA); and Federal Ministry of Agriculture to immediately arrange for distribution of relief materials and agricultural inputs for cultivation to recoup their losses (*Senator Hassan I. Hadejia — Jigawa North-East*).

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Federal Government to direct the immediate deployment of a Semi-Permanent Platoon or forward operation base of soldiers to decisively uproot the marauders from the surrounding communities so they can resume their farming and other economic activities.

Amendment Proposed:

Leave out the provision in Proposed Resolution (i) and *insert* the following instead thereof:

"urge the Federal Government to direct for the immediate establishment of a permanent military base and deployment of troops to decisively uproot the criminal bandits in the Local Government Areas of Jigawa and Niger States" (*Senator Mohammed S. Musa — Niger East*).

Question that the amendment be made, put and agreed to.

Proposed Resolution (ii):

Question: That the Senate do urge the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development through the National Emergency Management Agency (NEMA); and Federal Ministry of Agriculture to immediately arrange for distribution of relief materials and agricultural inputs for cultivation to recoup their losses — *Agreed to.*

Resolved:

That the Senate do:

- (i) urge the Federal Government to direct for the immediate establishment of a permanent military base and deployment of troops to decisively uproot the criminal bandits in the Local Government Areas of Jigawa and Niger States; and
- (ii) urge the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development through the National Emergency Management Agency (NEMA); and Federal Ministry of Agriculture to immediately arrange for distribution of relief materials and agricultural inputs for cultivation to recoup their losses (*S/Res/011/02/20*).

(d) *Urgent Need for Government Intervention to Curb the Menace of Erosion in Communities in Imo West Senatorial Zone, Imo State:*

Motion made: The Senate notes that Imo West Senatorial Zone consists of twelve (12) Local Government Areas, namely: Ideato North, Ideato South, Isu, Njaba, Nwangele, Nkwerre, Oguta, Ohajij/Egbema, Orlu, Orsu, Oru East and Oru West;

further notes that recently in Ideato South and Oru LGAs, some villages and communities which include Umumaisiaku/Ogboko, Amanator/Umueshi and Umuchima/Obiohia have been ravaged by erosion caused by the current torrential rainfalls in the areas, resulting in economic losses, loss of properties and damage to roads;

aware that the issue of erosion has been an ongoing menace in these areas and its environs for over five decades;

further aware that in 2010, a World Bank Assisted Project, the Nigeria Erosion and Watershed Management Project (NEWMAP) was set up in order to help curb erosion and land degradation related issues across the country, which commenced operation in 2013;

cognizant that in 2019, the Imo State Management Unit of the Nigeria Erosion Watershed Management Project (IMO NEWMAP) awarded a contract for the construction and remediation works at Eziala-Obizi, Iyiuzo-Ogberuru, Umueshi and Umunumo-Ibeafor Gully Erosion Sites in Imo State;

further cognizant that in 2014 and 2016 respectively, the Imo State Erosion and Watershed Management Project (IMO NEWMAP) assisted with erosion management, gully rehabilitation, compensation for loss of properties and resettlement of persons that lost their houses due to the Umueshi Erosion;

worried that although the Federal and State Governments have assisted in the past in curbing the menace, it keeps re-occurring every year especially during the rainy season, thereby causing the inhabitants of these areas continued loss of properties and means of livelihood, due to the damage done to farmlands;

further worried that some of the areas affected by the erosion are major Federal Government link roads such as the Owerri-Orlu-Ideato-Uga Federal Road in Imo State that links the Owerri, the capital of Imo State through Uga to Awka, the capital of Anambra State, and the stretch of road from Orlu-Mgbee-Umuchima-Obiohia-Urualla which has partly collapsed, with huge gullies;

cognizant that one of the most important responsibility of government is to protect lives and properties of citizens;

further cognizant that although the government has assisted in the past in addressing the menace caused by erosion in some parts of Imo West Senatorial Zone currently affected such as Umueshi community, however many areas have not benefitted from the Federal Government Erosion Management and Rehabilitation Aid, while assisted areas keep experiencing annual disrepair; and

regrets that if no urgent action is taken to curb this menace and curb the raging effect of erosions in these communities, this may lead to loss of life and even more devastating economic consequences for the people of the affected communities in Imo State.

Accordingly resolves to:

- (i) mandate the Committees on Environment; Finance; National Planning; Water Resources; and Works to jointly interface with the National Emergency Management Agency (NEMA), Nigerian Erosion and Watershed Management Project (NEWMAP), Federal Ministry of Water Resources, Federal Ministry of Works and Housing, Federal Road Maintenance Agency (FERMA) and other relevant stakeholders to -
 - a. determine why previous Federal Government Interventions have failed to yield a lasting solution to this menace;
 - b. provide a permanent and sustainable solution to the menace and report to the Senate within 2 weeks;
- (ii) urge Nigeria Erosion and Watershed Management Project (NEWMAP) to include these areas affected by erosion in Imo West Senatorial Zone in their 2020 work plan; and
- (iii) issue such further directives as deemed expedient in the circumstance to ensure compliance these resolutions

Debate:

Proposed Resolution (i):

Question: That the Senate do mandate the Committees on Environment; Finance; National Planning; Water Resources; and Works to jointly interface with the National Emergency Management Agency (NEMA), Nigerian Erosion and Watershed Management Project (NEWMAP), Federal Ministry of Water Resources, Federal Ministry of Works and Housing, Federal Road Maintenance Agency (FERMA) and other relevant stakeholders to -

- a. determine why previous Federal Government Interventions have failed to yield a lasting solution to this menace;
- b. provide a permanent and sustainable solution to the menace and report to the Senate within 2 weeks — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge Nigeria Erosion and Watershed Management Project (NEWMAP) to include these areas affected by erosion in Imo West Senatorial Zone in their 2020 work plan — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do issue such further directives as deemed expedient in the circumstance to ensure compliance these resolutions — *Agreed to.*

Resolved:

That the Senate do:

- (i) mandate the Committees on Environment; Finance; National Planning; Water Resources; and Works to jointly interface with the National Emergency Management Agency (NEMA), Nigerian Erosion and Watershed Management Project (NEWMAP), Federal Ministry of Water Resources, Federal Ministry of Works and Housing, Federal Road Maintenance Agency (FERMA) and other relevant stakeholders to -
 - a. determine why previous Federal Government Interventions have failed to yield a lasting solution to this menace;
 - b. provide a permanent and sustainable solution to the menace and report to the Senate within 2 weeks;
- (ii) urge Nigeria Erosion and Watershed Management Project (NEWMAP) to include these areas affected by erosion in Imo West Senatorial Zone in their 2020 work plan; and
- (iii) issue such further directives as deemed expedient in the circumstance to ensure compliance these resolutions (*S/Res/012/02/20*).

24. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 15th July, 2020 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 2:00 p.m.

Ahmad Ibrahim Lawan, Ph.D, CON
President,
Senate of the Federal Republic of Nigeria.