



# SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Tuesday, 5th May, 2020

1. The Senate met at 10:32 a.m. The President of the Senate read prayers.

2. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings(2) of Tuesday, 28th April, 2020.

*Question was put and the Votes and Proceedings were approved.*

3. **Petitions:**

(i) Rising on Rule 41, Senator Wangagha B. Degi-Eremienyo (*Bayelsa East*) drew the attention of the Senate to two (2) petitions from:

(a) Koluama Clan Council of Chiefs on the presence of dead and dying fishes and damage to marine life and livelihood in Koluama Clan Communities of Southern Ijaw Local Government Area of Bayelsa State; and

(b) Atlantic Coastal Communities Forum on the devastation of our ecosystem, aquatic life and sustainable livelihood by the activities of Shell Petroleum Development Company Limited.

He urged the Senate to look into the matters.

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

(ii) Rising on Rule 41, Senator Enyinnaya H. Abaribe (*Abia South*) drew the attention of the Senate to a petition from All Progressives Congress of Abia State Chapter, on the appointment of Henry Ogbulogo as Member of Federal Character Commission representing Abia State, a negation of principle of fair play, social justice and equity.

He urged the Senate to look into the matter.

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

4. **Personal Explanation:**

Rising on Rule 43, Senator Abubakar S. Kyari (*Borno North*) drew the attention of the Senate to the demise of the First Executive Governor of old Borno State, His Excellency Alhaji Mohammed Goni on Wednesday, 29<sup>th</sup> April, 2020. He stated that he was born in 1942 in Kareto, Mobbar Local Government Area of Borno State and was elected as the first Civilian Governor of the former Borno State on the platform of Great Nigeria Peoples' Party (GNPP) in 1979. He urged the Senate to observe a minute silence in honour of the deceased.

*One minute silence accordingly observed in honour of the deceased.*

**5. Personal Explanation:**

Rising on Rule 43, Senator Emmanuel Bwacha (*Taraba South*) drew the attention of the Senate to degree of the destruction arising from land dispute between Tiv and Jukun communities in Donga and Bali Local Government Areas of Taraba South Senatorial District, leading to the burning of five (5) villages, namely; Gankwe Adamu, Gankwe Assen, Kwasa, and Sabongida in Bali Local Government Area; and Suntai in Donga Local Government Area. He urge the Military and Nigeria Police to intervene in order to prevent further carnage among the villages.

*The Senate mandated the Security Agencies to immediately intervene to halt the crisis.*

**6. Personal Explanation:**

Rising on Rule 43, Senator Yahaya A. Abdullahi (*Kebbi North*) drew the attention of the Senate to the need for the Senate to appreciate the Nigerian frontline health workers who are diligently handling the spread of Coronavirus/COVID-19 across the country and honour those who lost their lives in the line of duty.

*By the leave of the Senate, one minute silence was observed in honour of our gallant health officials who passed away; and appreciate the frontline health workers who continuously provide health services towards containing the spread of COVID-19.*

**7. Presentation of a Bill:**

National Health Emergency Bill, 2020 (SB. 413) — *Read the First Time.*

**8. Executive Communication:**

*Confirmation of the Nominations of the following persons for Appointment as Commissioners for the Federal Civil Service Commission:*

*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 Commissioners for the Federal Civil Service Commission:

S/N	Name	Position	State Represented	New/Renewal of appointment
1	Dr. Frederick O. Ekwem	Commissioner	Imo & Abia	New Appointment
2	Dr. Jonah Madugu	Commissioner	Benue, Nasarawa & Plateau	Renewal

*(Senate Leader).*

*Question put and agreed to.*

*Request accordingly referred to the Committee on Establishment and Public Service to report within four (4) weeks.*

**9. Executive Communication:**

*Confirmation of the Nominations of the following Persons for Appointment as Members of the Revenue Mobilization Allocation and Fiscal Commission:*

*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 Revenue Mobilization Allocation and Fiscal Commission:

S/N	Name	State	Position
1.	Salamatu Mohammed Bala	Adamawa	New Appointment
2.	Hon. Alfred Egba, Esq	Bayelsa	New Appointment
3.	Alh. Adamu Shettima Yuguda Dibal	Borno	New Appointment
4.	Barr. (Sir) Emmanuel O. Nwosu	Imo	New Appointment
5.	Oladele Semiu Gboyega	Osun	New Appointment
6.	Bello Abubakar Wamakko	Sokoto	New Appointment
7.	Ahmed A. Yusuf	Taraba	New Appointment

(Senate Leader).

Question put and agreed to.

Request accordingly referred to the Committee on National Planning to report within four (4) weeks.

#### 10. Executive Communication:

**Confirmation of the Nominations of the Following Persons for Appointment as Chairman and Members of the Federal Character Commission:**

*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 Chairman and Members of the Federal Character Commission:

S/N	NAME	POSITION	STATE	REMARKS
1.	Dr. Muheeba (Farida) Dankaka	Chairman		New Appointment
2.	Hon. Henry, Ogbulogo	Member	Abia	New Appointment
3.	Dr. Salihu Bello	Member	Adamawa	New Appointment
4.	Obonganwan Dorah Daniel Ebong	Member	Akwa Ibom	New Appointment
5.	Rev. Ibeabuchi Uche	Member	Anambra	New Appointment
6.	Mohammad Tijjani	Member	Bauchi	New Appointment
7.	Tonye G. Okio	Member	Bayelsa	New Appointment
8.	Mr. Silas Mfa Macikpah	Member	Benue	New Appointment
9.	Abba Ali Monguno	Member	Borno	New Appointment
10.	Mr. Nsor Atangba	Member	Cross River	New Appointment
11.	Hon. Alims Agoda	Member	Delta	New Appointment
12.	Hon. Tobias C. Chukwuemeka	Member	Ebonyi	New Appointment
13.	Imuetinyan Festus	Member	Edo	New Appointment
14.	Barr. Sesan Fatoba	Member	Ekiti	New Appointment
15.	Mrs. Ginika Florence Tor	Member	Enugu	New Appointment
16.	Hamza Mohammed	Member	Gombe	New Appointment
17.	Dr. Diogu Uche	Member	Imo	New Appointment
18.	Lawan Ya'u Roni	Member	Jigawa	New Appointment
19.	Hadiza Usman Muazu	Member	Kaduna	New Appointment
20.	Muhammad Awwal Na'inya	Member	Kano	New Appointment
21.	Hon. Lawal Garba	Member	Katsina	New Appointment
22.	Abubakar Atiku Bunu	Member	Kebbi	New Appointment
23.	Pharm. Idris Eneye Bello	Member	Kogi	New Appointment
24.	Daniel James Kolo	Member	Kwara	New Appointment
25.	Are Miftah Bolaji	Member	Lagos	New Appointment
26.	Nasir Isa Kwarra	Member	Nassarawa	New Appointment
27.	Maj. Gen. Suleiman Barau Said (Rtd.)	Member	Niger	New Appointment
28.	Abiodun Istiaq Akinlade	Member	Ogun	New Appointment
29.	Chief Olufemi Lawrence Omosanya	Member	Ondo	New Appointment
30.	Adeoye, Abdulrazak Olalekan	Member	Osun	New Appointment
31.	Prof. Adeniyi Olowofela	Member	Oyo	New Appointment
32.	Mr. Stephen A. Jings	Member	Plateau	New Appointment
33.	Wokocho Augustine	Member	Rivers	New Appointment
34.	Abdullahi Aminu Tafida	Member	Sokoto	New Appointment
35.	Alhaji Armaya'u Dauda Abubakar	Member	Taraba	New Appointment
36.	Hon. Jibril Maigari	Member	Yobe	New Appointment
37.	Hon. Sani Garba	Member	Zamfara	New Appointment
38.	Sen. Adamu Muhammed Sidi-Ali	Member	FCT	New Appointment

(Senate Leader).

Question put and agreed to.

Request accordingly referred to the Committee on Federal Character and Inter-Governmental

*Affairs to report within four (4) weeks.*

11. ***Ad hoc Committee on Nigerian Security Challenges:  
Report on the Urgent Need to Restructure, Review and Reorganize the Current Security Architecture:***

*Motion made:* That the Senate do resume consideration of the Report of the *Ad hoc* Committee on Nigerian Security Challenges on the need to Restructure, Review and Reorganize the Current Security Architecture in Nigeria (*Adjourned Consideration, Wednesday, 18<sup>th</sup> March, 2020*) (*Senate Leader*).

*Question put and agreed to.*

*Debate:*

**RECOMMENDATIONS:**

**A IMMEDIATE/SHORT TERM SOLUTIONS TO ADDRESS THE CURRENT SECURITY CHALLENGES:**

1. That the Senate do urge the Federal Government to confront immediately with all the force available to State in well-planned and coordinated land and air operations and launch massive and sustained combined Military operations to identify, destroy and annihilate the camps, hideouts and strongholds of bandits and kidnappers wherever they may be situated with no letup whatsoever. These combined operations should make use of land and aerial attack utilizing intelligence gathering and reconnaissance technology, and all reclaimed forest sanctuaries should be occupied and subjected to sustained monitoring using the National Park Service and other relevant services to make re-occupation by bandit impossible. We should make effective use of community intelligence and cooperation to fish out embedded culprits operating in their midst and bring them to book;
2. The Senate do urge the Federal Government to identify Traditional Rulers and the Leaders at the locations where the terrorists and criminals are operating from and through them help the Security Agencies target and destroy the locations and staging areas;
3. That the Senate do urge the Federal Government through the Police to identify and apprehend local informants who feed the terrorists and bandits with information about target Communities and Individuals. Relevant information should be extracted from them to help preempt and stop bandits and kidnappers' attacks in their tracks;
4. That the Senate do urge the Federal Government to provide for the Nigerian Army, sophisticated Unmanned Aerial Vehicles (UAVs) comprising of conventional drones, drone detection equipment and incapacitating technology such as anti-drone systems and laser beams for intercepting drones belonging to bandits and insurgents;
5. That the Senate do urge the Federal Government as a matter of necessity to direct the Airforce to assert its superiority in the skies by embarking on constant and debilitating air raids on insurgents and bandits' camps and supply channels to ensure complete annihilation of men and resources and wipe out their capacity to regroup or coordinate their cells for combined aggression;

6. That the Senate do urge the Federal Government to find a vacuum filling alternative for the Super Tucano Order for immediate deployment as it is apparent that the unending delays and the new delivery date of 2022 for the United States order may simply be another ploy as there are alternative high endurance Turboprops within the Eastern Block that can fill in the gap;
7. That the Senate do urge every State and Local Government to identify all the Preachers and 'Mallamai' harboring 'Almajiri' children and non-conventional 'learning' and 'detention' centres. In concert with concerned and enlightened 'Ulama' and traditional rulers, these places of instructions should be closed. The children 'liberated' therefrom should be accommodated, fed and provided with integrated Islamic and Western System of Education in boarding schools that should be constructed in all States under an emergency program to be funded by Universal Basic Education Commission (UBE) and Local Governments. In this way the insurgents can be denied recruitment grounds. Full implementation of the UBE Act is necessary;
8. That the Senate do urge the Federal Government to note that Nigeria's growing population will overwhelm its anti-poverty strategies to a point where National Security could be severely compromised and could constitute a major threat to its future unless the economy is radically improved. In this regard, substantial investments are required on a sustained basis into human capital development, particularly education, health, basic social and economic infrastructure to support a self-reliant, production growth and sustainable development.

**B MEDIUM AND LONG TERM ACTIONS REQUIRED TO ADDRESS THE CURRENT SECURITY CHALLENGES:**

9. That the Senate notes the crucial role of the Legislative Arm in the review and enhancement of the legal framework of the Nation's Security Architecture. This will assist and strengthen the Executive Arm (through the Security Agencies and the Federal Ministry of Justice) in securing the Nation. That the Senate therefore directs its Committees on Defence, Army, Navy, Airforce, National Security and Intelligence, Police, Interior, Customs and Excise Duties, Communications and Judiciary, Human Right and Legal Matters to embark on the amendment of the Laws governing the MDAs under their legislative jurisdictions with a view to strengthen these laws to promote cooperation and synergy, remove competition and duplication of roles and ensure efficiency and effectiveness of service delivery by these MDAs. These Acts include the following:
  - a. The Armed Forces Act CAP A20 LFN 2004
  - b. National Security Agencies Act, LFN 2004
  - c. Police Act CAP P19 LFN 2004
  - d. Immigration Act CAPI 1 LFN 2004
  - e. Nigeria Security and Civil Defence Corps (Establishment) Act No 2, 2003 and Nigeria Security and Civil Defence Act (Amendment) Act No. 6, 2007
  - f. Customs and Excise Management Act CAP C45 LFN 2004
  - g. Nigerian Communications Commission Act CAP N94 LFN, 2004

- h. The National Identity Management Commission (NIMC) Act, No23, 2007
  - i. Review of the Evidence Act in the Judicial Administration
10. That the Senate mandate the Committee on Constitutional Review to review the funding modalities for the Defence Sector and the Security Agencies with the view to placing them on First Line Charge;
  11. That the Senate do urge the Executive to determine the real and immediate funding needs (prioritized and itemized) in the Defence, Security and Intelligence Sectors and Other Law Enforcement Agencies and forward a supplementary budget to that effect to the National Assembly for consideration and passage;
  12. That the Senate do urge the Federal Government to create and adopt a training template and a harmonized curricular for all military and security training Institutions to ensure that all personnel develop the standard ethos of leadership and discipline for continuous capacity building with a view to preparing them to confront current security challenges as well as emerging threats based on national and global realities;
  13. That the Senate do urge the Federal Government to enhance the welfare of all Personnel; Officers and Men of the Defence Sector, Security and Intelligence and Law Enforcement Agencies through effective insurance schemes, enhanced gratuities and pensions;
  14. That the Senate do urge the Federal Government to beef up the personnel and operational capacities in the defence, security and intelligence sectors, and law enforcement agencies by massive recruitment to be able to tackle the current security challenges and assist retired officers and men in securing post-service employment;
  15. That the Senate do urge the Minister of Defence to co-ordinate the Policy of the Ministry of Defence (MOD) and supervise the Joint Operations of the Armed Forces of Nigeria (AFN) under the command of the Chief of Defence Staff (CDS);
  16. That the Senate do urge the Ministry of Defence to be in charge of defence related procurement and not the Individual Services;
  17. That the Senate do urge the Federal Government to hold the Service Chiefs and all Military Commanders at theatres of war responsible for failure to achieve operational targets and set objectives;
  18. That the Senate do urge the Federal Government to discontinue Cash Ration Allowances for military and internal security operations in favor of 30% and 40% of basic monthly salary paid directly into the account of the officers and men involved in the operations. Field kitchens and compo rations must be provided to each field of operations;
  19. That the Senate do urge the Presidency to include Members of the National Assembly in Presidential delegations on visits to foreign countries to enable the legislature participate effectively in matters of interest to the country;

20. The Senate mandate the Committee on Inter-Parliamentary affairs to design a template (in concert with relevant Executive bodies) on inter-parliamentary diplomacy to facilitate contacts with various parliaments on issues pertaining to national security;
21. That the Senate urge the Federal Government to establish a strong Industrial Complex for Research and Development (R&D) and production of military related hardwares, spare parts and equipment in order to insulate the nation from dependence on foreign suppliers; this calls for the re-organization and improved funding of Defence Industries Cooperation of Nigeria (DICON);
22. That the Senate do urge the Federal Government to set up a National Defence Fund into which all Nigerian adults and businesses should make contributions for revival and investments in our National Defence Industry. Such fund should be backed by legislation and put beyond the reach of any form of use outside the functions for which it was established;
23. That the Senate do urge the Executive to direct the Ministry of Police Affairs and the Inspector General of Police (IGP) to decentralize the Police Command Structure with operational and budgetary powers vested in Zonal Commands as follows;
  - a. Kano/Jigawa/Kastina
  - b. Sokoto/Zamfara/Kebbi
  - c. Kaduna/Niger/FCT
  - d. Ekiti/Kwara/Kogi
  - e. Benue/Plateau/Nassarawa
  - f. Bauchi/Yobe/Borno
  - g. Adamawa/Taraba/Gombe
  - h. Lagos/Ogun
  - i. Oyo/Osun/Ondo
  - j. Edo/Delta/Bayelsa
  - k. Rivers/Akwa-Ibom/Cross Rivers
  - l. Imo/Abia
  - m. Anambra/Enugu/Ebonyi
24. That the Senate do urge the Federal Government to direct the Ministry of Police Affairs and the Inspector General of Police (IGP) to constitute the Membership of the Zonal Security Advisory Council at each Zonal Command to advise on the security challenges facing each Zone as follows:
  - a. Governors in the Zone (To preside in rotation)
  - b. Zonal AIG of Police

- c. State Commissioners of Police in the Zone
  - d. State Directors of Department of State Service
  - e. Zonal Immigration Officers
  - f. Zonal Customs Officers
  - g. Nigeria Security and Civil Defence Corps
  - h. Nigeria Correctional Service
  - i. Chairmen of State Tradition Rulers Council
  - j. Faith-based Leaders
  - k. Civil Society Representatives
  - l. Representative of Senators from the Zone
  - m. Representative of Members of House of Representatives from the Zone
  - n. Representative of Business Community and Labour
  - o. Any person or persons deemed to be useful and relevant given the socio-cultural peculiarities of the zone;
25. That the Senate do urge the Federal Government to direct the Ministry of Police Affairs and the IGP to advise State Governors to re-constitute the State Security Council taking the following into account;
- a. Governor - chairman
  - b. Zonal AIG of Police
  - c. State Police Commissioner
  - d. Military Commander
  - e. Nigeria Immigration Service
  - f. Department of State Security Service
  - g. Nigeria Customs Service
  - h. Nigeria Security and Civil Defence Corps
  - i. Nigerian Correctional Service
  - j. 1st Class Emirs/Chairman of Emirate Councils
  - k. Paramount Traditional Rulers
  - l. Leaders of Faith - Based Organizations
  - m. Senators from the State
  - n. Speaker of the State House of Assembly





- Community Policing Strategy involving local stakeholders at the grassroots including traditional rulers and local notables with the view to addressing local security challenges by establishing/recruitment of community police men and women to replace the proliferation of vigilante groups and other local security outfits;
31. That the Senate do urge the State Assemblies to make edicts to legalize community policing, to be established at the LGA level;
  32. That the Senate do urge State Governors and State Assemblies to fund community policing from the grants appropriated to each LGA in accordance with the size of its Community Police formation. This is in addition to the appropriated budget from the LGA for them;
  33. That the Senate do urge the Federal Government to financially support the community police initiative with Annual Grants to each of the 774 Local Government formations;
  34. That the Senate do urge the Federal Government through the Ministry of Defence to calibrate the National Defence Industry Corporation to produce weapons and advanced equipment for the Police Force;
  35. That the Senate do urge the Federal Government to liaise with the Inspector General of Police (IGP) and State Governments to provide the Police with decent accommodation for its officers and men;
  36. That the Senate do urge the Federal Government to rebuild and to furnish all police stations in the Country with appropriate infrastructure and equipment including information and communication facilities;
  37. That Senate do urge the Federal Government to establish a Veteran Affairs Department in both the Ministry of Defence and the Ministry of Police Affairs to cater for the special needs, including healthcare, of retired and honorably discharged police officers and men;
  38. That the Senate do urge the Federal Government to provide the Mobile and Special Forces of the Police with Armored Personnel Carriers (APCs), rugged and powerful transport vehicles and body armor;
  39. That the Senate do urge the Federal Government to support the Police to create more well-armed and well trained Marine Police Formations equipped with robust gun boats and personnel with specialized training to adapt to riverine and inland creeks and other water terrains;
  40. That the Senate do urge the Federal Government to increase the number of the Nigeria Police Force in line with UN standard of 1 to 300 Police Officers per 100,000 inhabitants by recruiting 20,000 Police men yearly for the next ten years;
  41. That the Senate do urge the Federal Government to provide for the security agencies, logistics and infrastructures and force multipliers such as transport, mobility across land, sea and air, advanced and standardized weaponry, etc.;
  42. That the Senate do urge the Executive to create a Central Database where all identity capturing bodies or agencies such as Nigeria Immigration Service (NIS), Nigeria Identity Management Commission (NIMC), Banks (BVN) etc

- can store and share captured data without having to duplicate the same process;
43. That the Senate do urge the Federal Government to provide the Nigerian Immigration Service with digital and satellite infrastructure to enable it monitor, in real time, the entire borders of the country;
  44. That the Senate do urge the Federal Government to digitalize the work of the Customs Service with modern technologies based on international standards;
  45. That the Senate do urge the Executive to direct the Ministry of Interior and Nigeria Security and the Civil Defence Corps (NSCDC) to concentrate on their key role of guarding and protecting key National Infrastructure such as buildings, bridges, pipelines, tank farms, pumping stations, airports, storage facilities, offices, silos, national power grids, dams, irrigation structures, etc. nationwide, guarding of VIP residence including registration of private guard companies should be an added responsibility of the corp. The Act of NSCDC should be amended to make this its core and only function;
  46. The Federal Government should direct the Department of State Services (DSS) to take over responsibility of VIP protection from the police. Only VIPs who are entitled to orderlies should have police ADC attached to them;
  47. That the Senate do urge the Department of State Services to beef up its personnel and operational capacities to be able to reach right down to the ward levels where they could interface with the work of Community policemen and women deployed among the people;
  48. That the Senate do urge the Federal Government to return the supervision of the Nigeria Identity Management Commission (NIMC) back to the Ministry of Interior for proper administration and supervision;
  49. That the Senate do urge the Executive to establish a National Identity Management Database (need to make NIMC a national platform) that covers everybody in the country, and interfaces with other data collection and management entities, particularly - INEC, Banking (BVN), NCC, Ministry of Health and National Population Commission, etc.;
  50. That the Senate do urge the Executive to ensure that the entire National Space is digitally connected and all blind spots eliminated through a combination of ICT infrastructure penetration and connectivity, satellite communications, fiber optic cables, communications masts and cyber facilities;
  51. That the Senate do urge the Federal Government to purchase and install a new satellite for NIGCOMSAT that will have additional audio and visual facilities. The ground base stations for reception of satellite data and information should be rehabilitated and expanded;
  52. That the Senate do urge the Federal Government to direct the Nigerian Communications Commission (NCC) as a regulator, to provide the guidelines, operational procedures and sanctions regime to all ICT operations and initiatives in both the private and public sectors, including the Intelligence Community;
  53. The Federal Government should direct the Revenue Mobilization and Fiscal Commission to make proposals to the National Assembly suggesting the revision of the revenue allocation formular to reflect 45% and 25% to the Federal, State

and Local Governments respectively. This is due to increased responsibility given to the lower tiers of governance on security matters;

54. The Federal Government should strengthen the National Drug Law Enforcement (NDLEA) Agency in the fight against drug abuse and assist in the detoxification and rehabilitation of addicts by establishing drug rehabilitation centres throughout the country in concert with States and Local Governments.
55. That the Senate do urge the Judiciary and Corrective Institutions to have a buy-in especially when it relates to criminal justice system particularly, the review of the evidence Act in the Judicial Administration;
56. That the Senate do urge the Judiciary to harmonize its relationships with the Legislative and Executive Arms of Government on matters bordering on National Security and treatment of grave criminal offences that challenge human conscience, peace and integrity of the nation;
57. That the Senate do urge the Federal Government on the need for special intervention that will put the Judicial Arm of Government in good stead and strengthen its capacity for timeous and proper adjudication of relevant cases of thousands of suspects awaiting trial for alleged terrorism and security breach offenses across the country.
58. That the Senate do urge the Federal Government to note that the morale of our Judicial Officers is at its lowest ebb at this time; that the salaries and remuneration of judicial officers in this country were last reviewed in year 2008. The implication of this is that our judicial officers have been on the same salaries and allowances for twelve years in spite of daunting inflationary trends in the country;
59. That the Senate do urge the Federal Government to provide immediate special intervention for the Judiciary in the minimum sum of ₦20b (Twenty Billion Naira) to enable it meet some of its current challenges, which include the need to appoint the required number of Judicial Officers and ensure replacement of Judges and Justices in both trial and appellate Courts to take care of overcrowded Court dockets; provision of official quarters and official cars to Judicial officers; continued digitalization as well as contemporary capacity building for judicial officers and staff of the judiciary; and
60. That the Senate do urge the Federal Government to go beyond this one-off special intervention fund, to consistently increase the budget of the Judiciary by at least ₦5b (Five Billion Naira) annually for the next four years (if it cannot be done at once) to ensure a realistic and sustainable living wage and remuneration for our Judicial Officers.

*Report and Recommendations accordingly adopted.*

**12. Motions:**

**(a) *The Present Status of 5th Generation (5G) Network in Nigeria:***

*Motion made:* That the Senate notes with growing concern, the ongoing discussion about the current status of the 5<sup>th</sup> Generation (5G) Network in Nigeria especially with regards to whether or not Nigeria is presently connected to the 5G Network;

*notes further* the concern by some scientists and medical experts that the emissions from the 5G towers could adversely affect the health of citizens by causing symptoms like damage to eyes, antibiotics resistance, and other physiological effects on the nervous and the immune systems;

*mindful* of the recurrent health hazards which are usually associated with technological advancements such as the 5G network, and the need to conduct a thorough test prior to the deployment of new technology;

*aware* of a statement by Dr. Isa Pantami, Honorable Minister of Communications in October 2019 during the 39<sup>th</sup> Gulf Information Technology Exhibition (GITEX) in Dubai, UAE (Oct. 6 - Oct. 10, 2019) that Nigeria was "ready to deploy 5G Network across the country" to ease network flow;

*aware* also that in a subsequent interview, the Hon. Minister of Communications indicated that no License has yet been issued by the Federal Government of Nigeria for the operation of 5G network except for a 3-months study trial granted to MTN which commenced on the 25<sup>th</sup> of November, 2019 and intended to critically review and study the health & security implication of deploying 5G in Nigeria;

*acknowledges* that 5G reportedly holds a lot of promise for mobile broadband services because of its faster speed and better capacity;

*further acknowledges* that there is neither a conclusive proof, nor has it been universally established that the deployment of 5G network is either harmful to the human body, or is in anyway linked to the global pandemic of COVID-19. A lot of countries like South Korea, United Kingdom and Germany have successfully deployed and are using the 5G Network;

*concerned* that the uncertainty surrounding whether or not the 5G Network has been launched in Nigeria will continue to fuel the speculations and rumors concerning the deployment of the 5G Network and its effect on the citizens of Nigeria;

*further concerned* about the massive infrastructural upgrade as has never been seen before, which will follow the launching of 5G Network in Nigeria. For instance, for the deployment of 5G network in urban areas, the providers have to install a strong radiating mobile communications antenna approximately every 100 meters, producing what has been described as a "radiation tsunami" and taking up to a 1000-fold increase in the transmission power;

*informed* that several countries, including Switzerland, one of the world's leaders in the rollout of 5G mobile technology, has placed an indefinite moratorium on the use of 5G network because of health concerns; and

*desirous* of investigating the true status of 5G network in Nigeria to ensure that Nigerian citizens are not exposed to an unreasonable risk of great bodily injury or harm.

*Accordingly resolves to:*

urge the Committees on Communications; Science and Technology; and ICT & Cyber Crimes to conduct a thorough investigation to determine the status of 5G Network in Nigeria and its technological impact on Nigerian citizens, and report back to the Senate within two (2) weeks (*Senator Uche L. Ekwunife — Anambra Central*).

*Debate:*

#### ***Proposed Resolution***

*Question:* That the Senate do mandate the Committees on Communications; Science and Technology; and ICT & Cyber Crimes to conduct a thorough investigation to determine the status of 5G Network in Nigeria and its technological impact on Nigerian citizens, and report within two (2) weeks.

**Amendment Proposed**

- (i) Immediately after the word "Crimes" in line 2, *insert* the words "Primary Healthcare and Communicable diseases" (*Senator Samuel O. Egwu — Ebonyi North*).

*Question that the amendment, put and agreed to.*

- (ii) Immediately after the word "within" in line 4, *insert* figure and word, "four (4) weeks" instead thereof (*Senator Michael O. Bamidele — Ekiti Central*).

*Question that the amendment, put and agreed to.*

**Resolved:**

That the Senate do mandate the Committees on Communications; Science and Technology; ICT & Cyber Crimes; and Primary Healthcare and Communicable diseases to conduct a thorough investigation to determine the status of 5G Network in Nigeria and its technological impact on Nigerian citizens, and report within four (4) weeks (*S/Res/144/01/20*).

(b) ***Urgent Need to Investigate Alleged Financial Recklessness in the Niger Delta Development Commission (NDDC):***

*Motion made:* That the Senate notes that the Niger Delta Development Commission was established following the enactment of the Commission's establishment Act No 6, 2000 Laws of the Federation of Nigeria as a Federal Government response to the long time agitation of the people of the Niger Delta Region;

*aware further* that the people of the Niger Delta Region have clamoured against the backwardness and underdevelopment of their region, the environmental devastation of the area occasioned by the oil and gas exploitation and exploration activities as well as the production of same in the area for over 60 years going;

*notes* that the Federal Government established the Commission in response to the quest of the people of the region to fast track development in the area and ameliorate the devastation done to the environment;

*notes also* that the Act establishing the Commission has among other functions given the Commission the following mandates in Part 2 Section 7 Subsections 1 and 2 as follows:

To formulate policies and guidelines for the development of the Niger-Delta, area, conceive, plan and implement, in accordance with set rules and regulations, projects and programmes for the sustainable development of the Niger-Delta area in the field of transportation including roads, jetties mid waterways, health, education, employment, industrialization, agriculture and fisheries, housing and urban development, water supply, electricity and telecommunications; etc;

*worried* that the accelerated development envisaged by the NDDC Establishment Act has not actually impacted on the Region, 20 years after its establishment as the operators of the Commission's policies and programmes are neither focused or have completely abandoned the initial desire of the people of the area and used the Commission's funds on programmes and policies that do not commensurate with funds so far transmitted to it by the Federal Government and other donors;

*worried further* that there has been loud accusation of misuse of funds by previous management of the Commission, which portrayed the Commission as a financial conduit pipe, especially when the aspiration of the founding fathers have been forsaken;

*believes* that visible financial recklessness may have prompted the President of the

Federal Republic of Nigeria to set up an Interim Management Committee (IMC) while ordering a forensic audit of the Commission so as to reposition it for its intended mandate;

*believes further* that while the President's action of setting up an IMC and the forensic audit may have been conceived to forestall the financial recklessness of the Commission and reposition it for fast tracking of the development of the region, the IMC has been more bedeviled with the same financial misuse, misapplication, misappropriation or outright fraud in the management of the funds of the Commission;

*alarmed* that the IMC has inundated itself with undue gross misconduct in fraudulent contracts award without recourse to due process and flagrant disobedience to the provisions of the Sections 19, 25, 41, and 42 of the Public Procurement Act, 2007;

*worried* that within the last three months the Commission has allegedly spent over ₦40Billion Naira of the Commission's fund without recourse to established processes of funds disbursement, which has open up further suspicion among stakeholders of the Niger Delta Region;

*worried further* of the IMC's arbitrary use of executive power in alleged wrongful sacking of management staff of the Commission without recourse to established Civil Service Rules and practice with the aim of concealing the fraudulent financial recklessness they have committed;

*understands* that many of the management staff sacked if not all still have many years to retirement based on the Civil Service Rules, order and precedence;

*observes* that the IMC has allegedly lost credibility and seen as a financial conduit pipe based on opinions of stakeholders in the region; this therefore urgently calls for an intervention by the Senate of the Federal Republic of Nigeria to instill confidence in the people for whom the Commission was primarily established;

*knows* that the provision of Section 88 of the 1999 Constitution (as amended), has conferred on the National Assembly, the Senate in particular that has been appropriating funds to the Commission the power to ascertain whether the alleged sum of ₦40Billion so appropriated and in the coffers of the Commission has been properly applied to programmes with recourse to established processes and procedure as contained in the Commission's mandate; and

*agrees* that the Senate can invoke Section 89 of the 1999 Constitution as amended, which has given it an irrevocable mandate to carry out investigation on any department of government to which it appropriates funds especially with the aim of exposing corruption, inefficiency or waste in the management of such public funds.

*Accordingly resolves to:*

- (i) mandate the Committee on Niger Delta to carry out a holistic investigation on all issues relating to but not limited to the alleged misapplication and misappropriation of the sum of ₦40Billion by the Commission, as well as all procurements and financial transaction of the Commission in this fiscal year (2020) and any other matter that is not in accordance with the provision of the NDDC Establishment Act, 2000 or any other extant law;
- (ii) mandate the Committee on Niger Delta to investigate the appropriateness of the alleged arbitrary sack of the management staff of the Commission; and
- (iii) mandate the Committee to report its findings in three (3) weeks (*Senator George T. Sekibo — Rivers East*).

*Debate:*

**Proposed Resolution (i):**

*Question:* That the Senate do mandate the Committee on Niger Delta to carry out a holistic investigation on all issues relating to but not limited to the alleged misapplication and misappropriation of the sum of ₦40Billion by the Commission, as well as all procurements and financial transaction of the Commission in this fiscal year (2020) and any other matter that is not in accordance with the provision of the NDDC Establishment Act, 2000 or any other extant law.

**Amendment Proposed**

*Leave out* the words “mandate the Committee on Niger Delta” in line 1, and *insert* the words “constitute an ad hoc Committee” instead thereof (*Senator Bala Ibn-Na'allah — Kebbi South*).

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

**Proposed Resolution (ii):**

*Question:* That the Senate do mandate the Committee on Niger Delta to investigate appropriateness of the alleged arbitrary sack of the management staff of the Commission — *Agreed to.*

**Proposed Resolution (iii):**

*Question:* That the Senate do mandate the Committee to report its findings in three (3) weeks.

**Amendment Proposed**

*Leave out* the provision in Propose Resolution (iii) and *insert* the following instead thereof:

“That the Senate do mandate the Committees to report it findings in four (4) weeks” (*Senator Uche L. Ekwunife — Anambra Central*).

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

*Resolved:*

That the Senate do:

- (i) constitute an ad hoc Committee to carry out a holistic investigation on all issues relating to but not limited to the alleged misapplication and misappropriation of the sum of ₦40Billion by the Commission, as well as all procurements and financial transaction of the Commission in this fiscal year (2020) and any other matter that is not in accordance with the provision of the NDDC Establishment Act, 2000 or any other extant law;
- (ii) mandate the Committee on Niger Delta to investigate appropriateness of the alleged arbitrary sack of the management staff of the Commission; and
- (iii) mandate the Committees to report it findings in four (4) weeks (*S/Res/145/01/20*).

**Ad hoc Committee:**

The President of the Senate named the following Senators as Members of the Ad hoc Committee to Investigate Alleged Financial Recklessness in the Niger Delta Development Commission (NDDC):

- |       |                              |   |          |
|-------|------------------------------|---|----------|
| (i)   | Senator Olubunmi A. Adetumbi | — | Chairman |
| (ii)  | Senator Hassan I. Hadejia    | — | Member   |
| (iii) | Senator Dauda H. Jika        | — | Member   |
| (iv)  | Senator Umaru T. Al-makura   | — | Member   |



(v)	Senator Barinada Mpigi	—	Member
(vi)	Senator Abdulfatai Buhari	—	Member
(vii)	Senator Chukwuka G. Utazi	—	Member

13. **Adjournment:**

*Motion made:* That the Senate do now adjourn till Tuesday, 12th May, 2020 at 10:00 a.m.  
(*Senate Leader*).

*Adjourned accordingly at 12:36 p.m.*

**Ahmad Ibrahim Lawan, Ph.D, CON**

*President,*

*Senate of the Federal Republic of Nigeria.*