

National Assembly Watch

*A review of major events and happenings in the National Assembly of Nigeria
(Consolidated report for two weeks ending August 26, 2006)*

NASS resumes

The two chambers of the National Assembly have resumed from their respective recesses. While the House of Representatives resumed for the fourth legislative session of the present tenure on August 8, the Senate reconvened on August 22. The fourth legislative session marks the final session for the present National Assembly that commenced in 2003 and is expected to wind up in May 2007.

House committee indicts Chevron

The House of Representatives Committee on Petroleum Resources has indicted Chevron Nigeria Ltd. for alleged tax evasion amounting to \$492 million. Committee chairman, Rep. Cairo Ojougboh (PDP, Delta), who submitted the report said after investigation of allegations of tax evasion against Chevron, the committee found the oil major liable.

The report recommends that Chevron should refund the amount within 21 days, such payment to be made through the House for onward transfer to the appropriate government account. It also recommends that 10 percent of the sum be paid to ABZ Integrated Limited, the consultant engaged by the Economic and Financial Crimes Commission (EFCC) to work on the project.

The recommendation would only become effective after it has been adopted by the House. Chevron has indicated an intention to challenge the decision in court.

Another House committee indicts PHCN, NPA

The House Committee on Public Accounts has also indicted the Power Holding Company of Nigeria (PHCN) and Nigeria Ports Authority (NPA), recommending that they pay N10 billion and N11 billion respectively to the Federal Inland Revenue Service (FIRS) as arrears of taxes owed the federal government. In the report submitted to the House on August 16, the committee wants NPA to explain details of N198 billion operating expenditure and account for excess revenue it generated.

House orders arrest of minister

For allegedly failing to honour several invitations to appear before the House Committee on Petroleum Resources, Minister of State for Petroleum Resources, Mr. Edmund Dakouru may be arrested to compel his appearance. This follows the issuance of a warrant to that effect by the House, pursuant to Section 89(1)(d) of the Constitution. This would be the first time the House would be invoking that provision of the Constitution.

The decision came after the committee chairman, Rep. Cairo Ojougboh urged the House to recommend “appropriate punishment” for the minister for allegedly “aiding Shell Petroleum Development Company and deliberate refusal to appear before the

committee.” Part of the assignment of the committee that led to the submission of the report was to investigate Shell’s alleged \$3.2 billion indebtedness to the federal government.

A suggestion by Rep. Obeten Obeten (PDP, Cross River) that the House desists from adopting the committee’s recommendation as some of the recommendations could be embarrassing to the House failed to sway the House.

Chairman of the House Committee on Business and Rules, Rep. Ita Enang (PDP, Akwa Ibom) has explained that the Clerk of the House of Representatives is expected to communicate the decision of the House to the Clerk of the National Assembly who would in turn communicate the issuance of the order to the Inspector General of Police for necessary action.

Obasanjo requests NASS to endorse ceding of Bakassi

The House of Representatives has received a correspondence from President Olusegun Obasanjo, dated June 13, requesting legislative ratification of Nigeria’s agreement to surrender Bakassi Peninsula to Cameroon, pursuant to the judgment of the International Court of Justice.

Under Section 12(1) of Nigeria’s Constitution, no treaty signed between Nigeria and any other country shall become effective unless enacted into law by the National Assembly. The correspondence was read the day after the hand over of the territory.

Already, some federal legislators in both the Senate and the House have flayed government’s handover of Bakassi prior to the ratification. Sen. Dahiru Umar (Sokoto) for instance told a newspaper (*Vanguard*) that the hand over was a constitutional breach that rendered the president liable for impeachment. Sen. Victor Ndoma-Egba (PDP, Cross River), a Senior Advocate of Nigeria agreed that there was a breach but said it was not critical to lead to impeachment.

Some insist that the arrangement requires constitution amendment to be effective since Bakassi is listed in the schedule to the Constitution as a local government area in Cross River State. Under the new arrangement, a new settlement has been carved out of one of the existing local government areas in Cross River State and named Bakassi for the settlement of displaced Nigerians from the handed over territory.

Senate invites Police, SSS and INEC chiefs

On the first day of its resumption last Tuesday, the Senate passed a resolution to invite the Inspector General of Police, Mr. Sunday Ehindero and the Director General of the State Security Service (SSS), Col. Kayode Areh, to explain reasons for the rising wave of crimes, particularly political assassinations, and their inability to apprehend and prosecute the perpetrators. Similar summons was also issued on the Chairman of the Independent National Electoral Commission (INEC), Professor Maurice Iwu, to give the Senate a comprehensive report on the commission’s state of preparedness for the 2007 general elections.

On Wednesday, the appointed day of the meeting, the senate received a letter from Pres. Obasanjo explaining that the police boss was out of the country, but the Senate

declined audience to two Deputy Inspectors General (DIGs) of Police who went to represent their boss.

The Senate however met with the SSS boss in a close door session. Senate President, Ken Nnamani said after the session that “the Senate was briefed by the Director General of the SSS, and from all he informed us on their responsibility which he defined as bordering on intelligence, we were satisfied that the SSS is concerned about the spate of killings and general instability”.

However, Senate spokesperson, Sen. Victor Ndoma-Egba told the media that the SSS boss was not absolved of blame as the session was not meant to find fault. Said he: “It was more of an interaction. We wanted to get their own perspective of the security situation in the country and what they were doing. And he briefed us on their perspective and their role. He wasn't on trial at all. It is not a question of absolving or indicting.”