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**FEDERAL REPUBLIC OF NIGERIA**

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**Wednesday  
28<sup>th</sup> April, 2010**



# **NATIONAL ASSEMBLY DEBATES**

**FOURTH REPUBLIC  
THIRD ASSEMBLY  
(SIXTH SENATE)**

**THIRD SESSION**

**SENATE OFFICIAL REPORT**

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**SENATE OF THE FEDERAL  
REPUBLIC OF NIGERIA**

*Wednesday, April 28<sup>th</sup>, 2010*

*Senate met at 10.40 a.m.*

**PRAYER**

(The President in the Chair)

**VOTES AND PROCEEDINGS**

**The President:** Distinguished Senators, let us consider the Votes and Proceedings of Tuesday, 27<sup>th</sup> April, 2010; pages 759, 760 and 761.

**Senator Chris N. D. Anyanwu** (Imo North): Mr. President, I move that we approve the Votes and Proceedings of Tuesday, 27<sup>th</sup> April, 2010.

**Senator Adetunji Adeleke** (Osun West): Mr. President, I second the Motion that the Votes and Proceedings of Tuesday, 27<sup>th</sup> April, 2010 be approved.

*Question put and agreed to.*

*Resolved:* That the Votes and Proceedings of Tuesday, 27<sup>th</sup> April, 2010 be approved.

**ANNOUNCEMENTS**

*His Excellency,  
The President of the Senate  
My Dear Brother,*

**COMMITTEE MEETINGS**

*The Senate Committee on the Review on the 1999 Constitution will meet today Wednesday, April 28<sup>th</sup>, 2010 by 2.00 p.m. at the Senate President's Meeting Room 301, Senate New Building.*

(Signed)  
*Senator Ike Ekweremadu CFR  
Deputy Senate President*

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*Notice of meeting of Senate Committee on Agriculture and Rural Development to finalize Committee's work on NFRA, Seat Council and Quarantine Bills*

*Venue: New Senate Build, Room 426,*

*Time: 2.00 p.m.*

*Date: 28 April, 2010.*

*Please be punctual.*

(Signed)

*A. A. Babalola  
Vice Chairman*

**INVITATION TO EDUCATION/HEALTH  
ENDOWMENT TRUST FUND**

*I humbly and respectfully invite you to the lunching of my Constituency Endowment/Health Foundation Trust Fund, which will take place as follows:*

*Venue: Ladi Kwali Hall, Sheraton Hotel*

*Time: 6.00 p.m.*

*Date: 28<sup>th</sup>, April, 2010*

*This Trust Fund is being organized by West Africa but empowered by distinguished Senator. Gyang Dantong. The Trust Fund is aimed at the provision of scholarship and health services to my constituency particularly the youths who were affected by the Jos crisis.*

*I believe that if these Youths are engaged in schools they would not be available to be used for violence, social vices and self destruction.*

*Distinguished Colleagues, I look forward to your presence and support particularly those colleagues that the Invitation Cards have reached.*

*Thank you and God bless*

(Signed)

*Senator Gyang Dalyop Dantong (Dr.)*

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### **LETTER OF APPRECIATION**

*I wish to on behalf of my family and myself thank the entire Senate, leadership and members for the immense support and encouragement given to us during the wedding of our dear daughter on the 10<sup>th</sup> of April, 2010 at Port Harcourt.*

*The wedding turned out a huge success largely because of your presence, those of the spouses, your material gifts and prayers.*

*It was an exhilarating moment we are proud to have shared with you. The family therefore is eternally grateful and shall be too glad to have you back at such opportune moments.*

*I am particularly overjoyed by the Almighty God's magnanimity as no regrettable incident occurred during and after the occasion. He kindly saw all our guests safely back to their various destinations.*

*Once more, thank you and as always accept the assurances of my highest regards.*

*Sincerely,*

*Senator Wilson Asinobi Ake*

**Senator Ufot Ekaette** (Akwa Ibom South):  
Mr. President, I have a Point of Order.

**The President:** Yes, Point of Order, Senator Ufot Ekaette.

**Senator Ufot Ekaette:** Mr. President, my Point of Order is coming from Order 41 of our Standing Rule and it says:

*41(1): A petition may only be presented to the Senate by a Senator who shall affix his name at the beginning thereof;*

*41(2): A Senator presenting a petition shall confine himself to a brief statement of the parties from whom it came, the number of signatures attached to it and the material allegation contained in it, and to reading the prayers of such petitions*

The Petition I am talking about is addressed to me as the Chairman of the Senate Committee on Women Affairs and Youth Development. It is coming from the

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Human Rights Commission and about ten organisations of Women in this country. It has to do with the marriage of our distinguished Colleague to a 13 year old child. This marriage was contracted in Abuja

**The President:** Senator Ekaette, you gave gone through Section 41; has the petition met all the condition specified in Section 41? If so lay it on the Table.

*(Petition accordingly laid)*

**The President:** The Petition is referred to the Senate Committee on Ethics and Public Petition. They can invite the other Committees if they need their assistance; but it is referred to distinguished Senator Abubakar Omar Hambagda and the distinguished female Senators.

### **PRESENTATION OF REPORTS**

#### **Report of the Committee on Federal Capital Territory (FCT)**

**Senator Teslim Kolawole Folarin** (Oyo Central):  
The first business of the day is the presentation of the Report of the Committee on Federal Capital Territory (FCT). You may wish to invite the Chairman of the Committee on Federal Capital Territory (FCT) Senator Abubakar D. Sodangi to lay the Report on the Table.

**The President:** Distinguished Senator Abubakar D. Sodangi; you may lay the Report on the Table.

*(Report accordingly laid on the Table)*

#### **Report of the Joint Committee on Banking, Insurance and Other Financial Institutions, Capital Market and Finance**

**Senator Folarin:** The second business of the day is the presentation of the Report of the Joint Committee on Banking, Insurance and other Financial Institutions, Capital Market and Finance on the Asset Management Corporation of Nigeria (Est. Etc) Bill, 2010.

You may invite the Chairman of Committee on Banking, Senator Nkechi Nwaogu to lay the Report on the Table.

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**The President:** Senator Nkechi Nwaogu, you can lay the Report.

*(Report accordingly laid on the Table)*

## ORDERS OF THE DAY

### CONSIDERATION OF BILLS

#### Terrorism Bill, 2010

A Bill for an Act to provide for Measures to Combat Terrorism and for Related Matters 2010 –  
*order for Second Reading*

**Senator Folarin:** The first Order of the day is the Second Reading of an Executive Bill; the Terrorism Bill, 2010.

You will recall that this Bill was read First Time in this Chambers on Thursday, 10<sup>th</sup> December, 2009. With your kind permission, I would like to start the lead debate.

**The President:** The Leader of the Senate, you may start with the lead the debate please.

*Question proposed*

**Senator Folarin:** Once again, I thank you, Mr. President, for the privilege to lead the debate on the general principles on a Bill for an Act to provide for Measures to Combat Terrorism and for Related Matters, 2010. This Bill was read the First Time in this Hallowed Chambers on 10<sup>th</sup> December 2009.

The Bill seeks to provide for the prevention of terrorism in Nigeria and ensure effective implementation of the convention for the Prevention and Combating of Terrorism and the Suppression of Financing of Terrorism.

It is important to note that Nigeria does not have a comprehensive Anti-Terrorism Law and for that reason has failed to meet the requirements of the Financial Action Task Force's nine special recommendations. The FATF, which is the Financial Action Task Force established by the G7 Summit held in Paris in 1989 sets out to detect, prevent and suppress the financing of Terrorism and Terrorist Acts. These special recommendations that Nigeria is meeting are as follows:

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#### 1. Ratification of UN Instruments:

Nigeria has ratified the 1999 UN International Convention for suppression of financing of Terrorism. However, due to the absence of an anti-terrorism law, the country is unable to effectively implement this convention at the operational level, thus Nigeria was rated as the most high non-compliant.

#### 1. Criminalizing in Financing of Terrorism and Associated Money Laundering

Section 15 of the EFCC Act 2004 only partially criminalizes the collection of funds to be used to carry out a Terrorist Act, but not the wider offences envisaged by the UN, thus the country's rating was non-compliant.

#### 2. Freezing and confiscating Terrorist Assets:

Nigeria was rated non-compliant to this recommendation.

#### 3. Reporting Suspicious Transactions Related to Terrorism:

Again, our rating is non-compliant.

#### 4. International Co-operation:

This does not exist between Nigeria and other countries in areas of mutual legal assistant or information exchange relating to Terrorism. Again, rating is non-compliant.

#### 5. Alternative Remittance (Requirements for Money/Value Transfer Services)

Nigeria was rated partially compliant with this recommendation. However, the deficiencies leading to this poor rating have been addressed by the CBN in the CBN/AML/CFT Regulation 2009, which was gazetted in December, 2009.

#### 6. Wire Transfers Rules:

Again, our rating is non-compliant.

#### 7. Non-Profit Organisations (NPO):

No legal requirement in Nigeria compelling NPO to disclose transactions and accounting records,

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thus leaving them open either wittingly or unwittingly to be misused. Thus, Nigeria's rating is again non-compliant.

**8. Cash Couriers (Cross Boarder Declaration):**

There are currently no specific sanctions for failure to disclose or for making a false declaration. However, this is being addressed by the proposed amendment to the Customs Excise and Management Act. Nigeria is rated partially compliant.

It can be seen very clearly that out of the nine special recommendations of FATF, Nigeria was rated non-compliant in seven and partially compliant in only two. This rating is not good enough for a country like Nigeria. The answer to addressing these poor ratings lies in the passage of this Bill into law.

This Bill is divided into five essential parts:

- (i) Acts of Terrorism and Related Offences;
- (ii) Terrorism funds and Terrorist Property
- (iii) Mutual Assistance and Extradition
- (iv) Investigation; and
- (v) Prosecution

The Bill is deliberately designed to deal with the act of terrorism by preventing, amongst others, the following:

- (i) An attack upon a person's life which may cause serious bodily harm or death;
- (ii) Kidnapping of a person;
- (iii) Destruction to a government or public facility, public place or private property likely to endanger human life or result in major economic loss;
- (iv) The seizure of an aircraft, a ship or other means of public goods transport;
- (v) The manufacture, possession, acquisition, transport, supply or use of weapons, explosives or of nuclear, biological or chemical weapons; and

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- (vi) Propagation and dissemination of information in any form calculated to cause panic evoke violence or intimidate a government, person or group of persons.

We are all witnesses to the intensity with which all manner of terrorist acts are disrupting activities in nations, such as the USA, UK, Russia, South Africa and other countries. The domestic situation is not different. Taking of foreign and Nigerian hostages in the South-South and South-East is no longer news. The *Boko Haram* episode in Borno State, the Kala Kato uprising in Bauchi State and Jos crisis in Plateau State are nothing less than acts of terrorism. These are few of the developing acts of terrorism in Nigeria which must be nipped in the bud. It is a fact that terrorism is taking root and assuming a new dimension everywhere and it is our duty as responsible lawmakers to work towards its eradication through the promulgation of relevant legislation.

I, therefore implore you all to support the Bill and give it an accelerated passage into law. I thank you all for listening.

**Senator Nuhu Aliyu** (Niger North): Mr. President, this is a Bill that requires the attention of every Senator that is present here today. Already the Committee on National Security and Intelligence as well as Foreign Affairs and the Judiciary have gone a very long way in putting together a law that would be checking terrorism. I believe that this Bill will certainly go a long way in giving us more information that would be necessary to complete the assignment given to us.

There is no doubt that there is so much pressure not only to the country but to our offices, that is, the Committees on National Security and Intelligence; the Foreign Affairs as well as the Judiciary, especially officials from the United States of America. I know Nigeria has had a terrible experience when our own child was arrested in the USA when he attempted to blow up a plane. In spite of this, it does not mean that Nigeria is a terrorist country, it is not, there is no doubt about that, but we have to work in conformity with the rest of the world so that we shall succeed in our endeavours.

It is a Bill that I support strongly and which I urge every Member of this Senate to only take part in, but when eventually the Bill is passed to the appropriate

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Committee, we will need the attention of those who have had experience so that we will come out with a very viable and strong Bill. Already there are some offences; for instance, in the lead paper of the Leader of the Senate, he did mention the crisis in Plateau as an act of terrorism. I do not know about that; but we will require a lot of investigation by our various Committees so that we shall come up with a very strong, viable and sustainable law that would be commended by the rest of the world.

**Senator George Thompson Sekibo** (Rivers East): Mr. President, this is a topical issue; thank God that we have the Bill before us and we will deliberate on it. Who is a terrorist and what are the acts of terrorism? Are there evidences or signs of such activities in the country? It is then that we will know whether the Bill has merit.

A terrorist is a radical who employs terror as a political weapon, often using either religion or ideological issues as a cover when carrying out that activity. Terrorism is a calculated use of violence or threat of violence against civilians in order to attain goals that are political, religious or ideological in nature. This is done through intimidation or coercion or instilling fears. Then we ask the question, are these activities in our country?

Are we saying that there is no terrorism in the country? There is terrorism in the country because from the lead debate of the Leader of this Chamber, there are kidnappings, bombing, shooting and so on and so forth. These activities have been experienced in all parts of this country in the recent past. It means that there is terrorism or there are tendencies that in time, if they are not checked, will reach a point when there will be full blown persons or groups that will be practicing the act in the country. So the Bill is coming at the right time.

Internationally, among the 45 foreign terrorist organisations that the United States has noted, Nigeria is not there. Though we are not there, but if the facts or the elements that make up terrorist activities are trying to be associated with this country, in terms of kidnapping and doing all kinds of things to cause pains in the life of another person either because of religious or ideological issues, it means that there is terrorism in Nigeria.

Although we are not noted as one of the foreign terrorist nations, but today, the world is a global village;

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whatever happened in one country in a couple of minutes would fly to other countries. For instance, the bombing of the Twin Towers where over 2,900 persons died; who knows how many Nigerians were involved. There have been bombing of all other areas where several persons have been killed; it means that when it will strike you would not even know whether you would be there or not.

This Bill is very important; one would stand here for 30 minutes lamenting on it. I strongly support it and also invite all my Colleagues to lend their voices to it so that we can pass it expeditiously.

**Senator Victor Ndoma-Egba** (Cross River Central): Mr. President, terrorism is now a global phenomenon and the entire world is looking for a universal framework to address the issue. I am a Member of the Foreign Affairs Committee of this Senate and the Chairman will agree that I am an active member. In our various interactions with representatives of other nations, one thing has come out very clearly; it is the concern that Nigeria is not doing enough to fight terrorism.

There is a clear consensus amongst other nations that Nigeria is not a terrorist State, at least not yet; but there is also the concern that there is very clear evidence that there are foot holds in this country for terrorism and they have identified these foot holds. Having foot holds is the step before becoming a terrorist state. For us, it is clear enough that the time to act is now and that is why this Bill is very timely and I support it.

We are signatories to several Conventions, Protocols and Treaties that oblige us to pass this law. We are under an obligation because we voluntarily subscribed to those Conventions, Protocols and Treaties. We are therefore, under an obligation to pass this Bill and I believe that this Bill coming up today is a clear sign to the international community that Nigeria is rising up to its obligations under various Protocols, Treaties and Conventions.

Let me just use one example to highlight the implication of not having this law. If a famous terrorist; a well-known terrorist is found on Nigerian soil today, we have no law to deal with him. If on the other hand, there is a well-known terrorist who has committed terrorist acts and is found on another country, because we do not have this law, we cannot lawfully ask that that known terrorist be repatriated to Nigeria for justice

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to take its course. Since we do not have this law, it is easy for the rest of the world to see Nigeria as a possible haven for terrorist. I do not think that this country is a terrorist nation or has any intention to harbour terrorists. With this law, we are sending a very clear message to the rest of the world that we are not a terrorist State and we do not intend to harbour terrorists.

It is also important, apart from domestic acts of terrorism that the Leader referred to in his lead debate, to pass this law because there are other dimensions that are coming to the fore. The other day I was going through statistics of piracy and it is worrisome that incidents of piracy in our coastal waters are on the increase. God forbid it that we should come next to a country like Somalia; but if action is not taken because of the absence of a law to deal with this kind of situation, it would encourage impunity on the side of those who want to take advantage of the absence of the law.

Nigeria must speak out loudly and clearly that we are not a terrorist state and that we do not intend to be or to provide havens for terrorists. I believe that that is what we are doing. On that note, I register my full support for this Bill and encourage our Colleagues to also support it.

**Senator Mujitaba Mohammed** (Jigawa South-West): Mr. President, I want to begin my submission by expressing my support to this very important and timely Bill. In doing so, I want to observe that the issue of terrorism has really assumed a global dimension and that is why we have new concept of developing trans-national war on terrorism. This means that terrorists and terrorism respect no boundary rather; the war against terrorism should be a collective effort of both the state and non-state actors in the international system. Nigeria being part and parcel of the international system, must co-operate with other nation states and other non-state actors in the fight against terrorism.

However, I want to say that in passing this important legislation, this Chamber should seriously scrutinise the Bill so as to make it conform with the principles of human rights and some other personal liberties of individuals. This is because in the pursuit of the war on terror various human right considerations have been ignored and indeed, the Amnesty International in its 2006 Report observed that human rights considerations and principles are being sacrificed in the name of war on terror. In as much as we want to fight terrorism, we must also consider human rights in

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the pursuit of this noble act. We must seek reconciliation between the two.

We should be mindful of the various human rights abuses perpetrated in the name of war against terror in some nations, particularly the human rights abuse in *Abu Grave* which is against the convention on torture. So, also we need to make some clarifications on the definition of terrorism itself because in some countries, once you are against the state, they will use the provision of terrorism to declare you a terrorist and deal with you.

In the submission by our distinguished Leader in his lead debate he said: *propagation and dissemination of information in any form calculated to cause panic, evoke violent or intimidate a government or person or group of persons*. This type of clause can give a leeway to state actors to intimidate their political opponents. We should subject this Bill to closer scrutiny so that we can have a Bill that would be *in tandem* with the old principles of human rights that would not be used to fight political opponents in states and so on.

I am also aware that distinguished Senator Manzo from Taraba State has proposed a similar Bill in this Chamber which is also very important and almost similar to the Bill that we are treating today. I strongly advise that when this Bill go to Committee stage they should try and marry the two so that at the end of the day we can have a viable legislation that will aid and fight terrorism.

I support this Bill and I urge my Colleagues to support it.

**Senator Adegbo Erhiawarie Eferakeya** (Delta Central): Mr. President, I rise to support this Bill because it is timely because of the events happening in this country. We must be very careful; before you can talk about terrorism, it must be well defined. It is not all acts of violence that are considered as terrorist acts. A simple definition is: *act of violence that has no monetary gain* which Senator Sekibo tried to put as idealism or religious. If somebody performs an act of violence based on belief and there is no monetary gain that is the bottom line. You can talk of *Boko Haram*; that is an act of violence; that is terrorism. If you kidnap because you want to get money, it does not fall into terrorism - (*Interruptions*)

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I am talking from international definition of terrorism and I know what I am saying. Do not say no; if you do not know, you listen. We have to be very careful or you will be accusing people of terrorism when it was just a mere act of violence which the law in this country has taken care of. What determines whether an act is an act of terrorism is the ulterior motive - the bottom line, I repeat - for no monetary gains. When you look at that it covers it.

There is what we call intra-national terrorism. *Intra*, that is within; then *inter* which means between. This must be well defined because I do not have the Act before me here. I know that it would be referred to a Committee but we should not have it as if every violence is now terrorism.

I want to subscribe to it but we must be very careful. Definitely, we have acts of terrorism within this country. It is not really a big problem when we talk of international terrorism but we must support the prevention and arrest of international terrorism. It is not a big deal and that is why when we say Nigeria is not a terrorist State, it is because we are not involved in international terrorism. But when you look at what is happening in the country, there are people killing others not to get money, but because of their ideas; their cult or whatever they promote. This is where we should be able to differentiate the two and in enacting this Law, we have to be very careful.

**Senator Ike Ekweremadu** (Enugu West): Mr. President, first let me express my support for this very important Bill. We must be responsible international citizens complying with best practices all over the world.

I would like to also address our minds to the root causes of terrorism. Terrorism has been an increasing phenomenon over the past 10 to 20 years. 30, 40 or 50 years ago, what is now called terrorism was quite a mere circumstance. Everyday, situations seem to be increasing and in trying to pass Legislations, Conventions and Declarations to deal with this phenomenon; we must as well look at the issues that led us to where we are.

In addition, when the West is talking about terrorism or terrorist they take their minds to those of us from developing world; Africa, Asia and the Arab countries. Those are the target people that they look at as terrorists. What we have in common is the infrastructural and educational deficit and under

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development. As we are trying to address the issue of terrorism, the world also needs to address some of these things because we live in a globalizing world where all these things are linked to each other.

We must begin to address the issue of poverty in Africa, Asia and the Arab world so that we would begin to nip whatever that is encouraging terrorism in the bud because if everybody is comfortable and have equal access to all the facilities in this world as global citizens, this will help to discourage terrorism. It is not a matter of putting legislations here and there; these are just trying to combat or contain the issues. But to address the root cause of terrorism, we must begin to look at what has led us to where we are today. Is it not the neglect that the world has done to countries that are less developed? Even in our local circumstance, what we are looking at as terrorism is the same circumstance; same neglect of the society and the system or certain sections of this country. That is why we are receiving what we consider to be terrorism in all parts of this country. We must begin to be fair to all concerned; Government at all levels whether international or local must be able to ensure fairness and equity in all segments of our national and international lives. That is where we have to begin.

I support this Bill essentially but I believe that in passing these legislations we also need to address the root cause of this, which is inequity all over the places. The West needs to come to the aid of Africa and the rest of the world to help them grow so that everybody will be in equal situation. We have to be on the same page of development because any person who is comfortable will not risk his life trying to blow aircrafts, ships and buildings. These are some of the issues that the world should begin to address.

It is good that we are trying to do what the world wants us to do to provide for these things so that they would then believe that all of us are fighting terrorism. On the over all, in fighting this terrorism, we must address the root cause. As I said, even in addressing it internationally, we must look inwards as a country. What is causing violence in some parts of Nigeria, is inequity and injustice. We must look at all these things so that people can live a decent life which the country or the international community can afford to the rest of the world. Once this is done, I am sure that terrorism will be reduced drastically and even the freedom which we enjoy and the human right which would be curtailed in the follow up to these acts would also have been addressed.



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I heard a couple of my Colleagues complaining about the human right factors in the fight against terrorism. In the fight against terrorism a lot of human right abuses would come up; a lot of human rights would be curtailed which is not right for us. We are trying to see how to protect human right in such a way that both the political, civil and social rights would be accessible to all concerned. With this type of legislation, we will continue to contend them everyday. So for us to ensure that we have full complements of our rights, we must address those issues that gave rise to terrorism in the first place so that we can have the better of two worlds. We would live a decent life and have our rights before us.

**Senator Ahmad Ibrahim Lawan (Yobe North):**  
Mr. President, I will take off from where the Deputy Senate President stopped. My submission is that official terrorism all over the world is created and is sustaining the so called terrorism that we are talking about here.

Let us take a cursory look across the globe; wherever terrorism is based today, you will associate that country or that place with bad governance. In fact, in some countries and failed states, there is hunger, diseases and poverty. Therefore, for the fight against terrorism to succeed, there has to be genuine effort to counter and combat these ills.

The developed world, which of course, is so much concerned with international terrorism, must be genuinely concerned with our plight in the developing countries. Once there is a commitment, there has to be the implementation of those commitments.

Sometimes, they would tell us that the G8 would give grants to developing countries to encourage good governance. A year later, that kind of statement would have remained in the books and nothing would have happened. Today, Somalia, Afghanistan and Iraq are bastions of terrorism. To some extent, I do not want to sound undiplomatic, these are states that have crumbled because their structures are not working. In this country, why do we not sanction on what is happening? I believe that there is the need for the Federal, States and Local Governments to ensure that we provide for our people and prevent people from telling them to do the wrong thing. When people have no stake in government, the next thing they would do would be to take any option. I believe that we have a task ahead of us.

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While supporting this Bill, I want to emphasize that the international community, particularly the developed world, support good governance across the globe by genuinely committing available resources to those countries that need them to fight hunger, disease and illiteracy. Here in Nigeria, the definition given to terrorism by my Colleague, Senator Eferakeya is a little warped because whether it is economic or ideological, terrorism is terrorism depending on what led to the situation. Whether it is kidnapping or some kind of adulterated ideological views made by some people, the issue remains the same. What is critical for us is to ensure that those people who would implement this Law do not turn it into another Economic and Financial Crime Commission (EFCC). In 2006, we had great troubles in this country because the EFCC was used in a different way.

We will pass this Bill and hope that whoever would be in charge of implementing the Act does not turn it into another thing that would become a terror itself, because it could easily be used for official terrorism.

I want to believe that the submission by Senator Mustapha Mallam on the need to ensure a very delicate balance is achieved. It is important that human rights are not compromised in the process of fighting terrorism. We have to be very careful that in the process of trying to fight terrorism, we do not impose official terrorism on our people.

Lastly, I want to say that no human being would like to take his life if he has a stake and a genuine reason to live. Genuine reason in the sense that we must have a system that provides for everyone. That will make people to like life; live for it and, of course, good governance is the only way to ensure that we achieve this.

**Senator Adeleke Olorunnimbe Mamora (Lagos East):** Mr. President, I am happy that we are discussing this Bill this morning and we are giving it the urgency that it requires. Before I make my submission, let me draw the attention of this distinguished Senate to Section 19 of our Constitution under *Fundamental Objectives and Directive Principles of State Policy*. With your kind permission, Sections 19(d) to (e) of the Constitution says:

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- (d) *The foreign policy objectives shall be respect for international law and treaty obligations as well as the seeking of settlement of international disputes by negotiation, mediation, conciliation, arbitration and adjudication.*
- (c) *Promotion of International cooperation for the consolidation of universal peace and mutual respect among all nations and elimination of discrimination in all its manifestations.*
- (e) *Promotion of a just world economic order.*

I have read out these Sections of the Constitution to buttress the aspect of international terrorism. In an attempt to combat this, it is in a bid to establish universal peace and international world economic order. But, there are other aspects of this terrorism and I am happy that some of our Colleagues who spoke earlier did mention the issue of domestic terrorism.

We have been told of the issues of religious crisis, social upheavals and other ethnic related issues which could be classified as acts of terrorism. Let me say at this juncture that, even the poaching of members of the opposition Parties by the Ruling Party is an act of terrorism - *(Laughter)*. Yes, it is.

**The President:** The what? Poaching? What about voluntary movement?

**Senator Adeleke Mamora:** Mr. President, I am happy that you recognized that. Voluntary movement is different from poaching; I am talking of poaching. You can see the rank and file of the opposition Party being diminished on daily basis and that in itself, as I said, is an act of terrorism by the ruling party. I am not opposed to voluntary movement but when it is as a result of poaching, deliberate action of undermining and frustrating the minority parties, I believe that it is terrorism and it has to be condemned.

I am happy with the submission of Senate Leader. Out of nine components of the Financial Action Task Force, Nigeria is non-compliant in seven. Even in the remaining two, we are partially compliant. This is not good for a country of our status, a leader in the Africa continent who has arrived as it were in the international stage and wanting to be a global player. We must ensure that we keep in tune with the global village. It is

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important for us to ensure that we rapidly attend to this Bill so that we can conform to the international order.

Again, it is important for us as a leading country in Africa to really ensure that that leadership is spread out in all ramifications. I do not want to repeat the submissions of some of our Colleagues as well, but I want to support this Bill because it is timely, important and justified and it deserves the support of all us. I therefore want to recommend that we give it accelerated consideration.

**Senator Nimi Barigha-Amange** (Bayelsa East): Mr. President, I am in full support of this Bill; but my prayer is that we should make laws that would conform with our environment and obedient to our Constitution. I have my fears because from what I have seen, it seems we are trying to lift an International Terrorism Law and impose it on Nigeria which would be very detrimental. If we look at Section 16(1)(a) and (b) of the 1999 Constitution of the Federal Republic of Nigeria, it says:

Section 16(1): *The State shall, within the context of the ideals and objectives for which provisions are made in this Constitution –*

- (a) *harness the resources of the nation and promote national prosperity and an efficient, a dynamic and self-reliant economy;*
- (b) *control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity.*

I am bringing this Section to the notice of Senators because there is international terrorism and domestic terrorism. Under domestic terrorism, the vandalisation of PHCN conductor can be regarded as terrorism. Puncturing oil pipelines can be regarded as domestic terrorism, but if you look at the Section that I have just read, 16(1)(b), *control the national economy in such a manner as to secure the maximum welfare*. Are we doing that? That is why it is dangerous to lift international law and impose it on the people of Nigeria. – *(Interruptions)*

**The President:** Senator Nimi Barigha-Amange, just to follow your debate, whether or not you classified puncturing oil pipeline as terrorism, you are saying now

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that we lifted it from somewhere, does that amount to terrorism in your own opinion?

**Senator Barigha-Amange:** Yes, it is terrorism. If you cut PHCN cables, that also is domestic terrorism.

**The President:** You are now saying that if you cut PHCN cables just to earn a living, then it is no more terrorism. Is that the point you are making?

**Senator Barigha-Amange:** You are right, if it is for financial gains.

**The President:** I just want to make sure that I follow what you said properly. You may continue.

**Senator Barigha-Amange:** If the pipeline is punctured for the person to carry crude oil and sell for him to feed, it is not terrorism.

**The President:** If you take another man's property without his consent, it is stealing and if you steal yam to eat, then it is no more stealing?

**Senator Barigha-Amange:** That is also correct. If you go into the bush and you see ripe banana, you can pluck and eat and go your way. But if you take that banana and sell, that is stealing.

There are so many symptoms of terrorism in Nigeria right now. For example, the Jos crisis, Niger Delta crisis; the kidnappings; MOSOP; Bakassi boys; OPC and EGBESU; all are symptoms of terrorism, if not well handled.

There is also this cyber terrorism where technicians can get into the computer and inflict virus on other people's programmes. That is also cyber terrorism. How do we curb all these ones? Let us not holistically import international law of terrorism and impose it on Nigerians. We should look at our own environment and be sure that if a man punctures a pipeline to take crude oil to sell and eat, it is not terrorism. If it is just to blow up the pipeline so that it will cause waste of the economy, then that is terrorism.

I would like to refer to Section 34(1)(a) of the 1999 Constitution. – (*Interruptions*)

**The President:** Senator Barigha-Amange, on the same analogy, if a man points a gun at you and take your car from you, what would you call it?

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**Senator Barigha-Amange:** Mr. President, that is armed robbery, unless we now equate armed robbery to terrorism – (*Interruptions*)

**The President:** There is a problem. If he takes the car from you to drive as a taxi to feed himself, would that still be armed robbery?

**Senator Nimi Barigha-Amange:** It is still armed robbery because he pointed an arm at you before collecting the vehicle. Whether he would use it to feed or not, it is armed robbery but it should not be regarded as terrorism.

Lastly, I want to refer us to Section 34(1)(a) of the 1999 Constitution. If you permit me, I would read because those who would implement the law should be forewarned.

Section 34(1) (a) says: *Every individual is entitled to respect for the dignity of his person and, accordingly:*

*a) No person shall be subjected to torture or to inhuman or degrading treatment.*

I am saying so because in the name of terrorism at the international level, many people have been locked up for years without even taking them to court. We should not import laws of terrorism from the international level and impose it on Nigerians.

**Senator Anthony G. Manzo** (Taraba North): Mr. President, I want to support this Bill largely because, as the Deputy President of Senate said, we are international citizens and Nigerians are good citizens. The way to be good international citizens is to make the world work; it is not enough to make our country work as it is at this moment but we have to make the world work. The world really changed after September 11, 2001. Before that, it is used to be said that *one man's terrorist is another man's freedom fighter*. But after the incidence of September 11, 2001, all the world agreed that something needs to be done about violence by person or persons against States and because of the contentious nature of the definition of terrorism itself, there are more than one hundred definitions of terrorism. When this Bill goes to the Committee stage, one of the things that we have to do would be to define within the context of our culture and the nature of our people what terrorism is.

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Without a doubt, one of the reasons why our international friends have been very worried about the dangers of terrorism in this country is because of what has been happening domestically. Over the years, our friends have been telling us that a culture of impunity is permeating our society. People kill and they are not caught; *Boko Haram* happened and nobody has been punished; there has been repeated crisis in Jos and nobody has been arrested and so on. They say that when these things are happening it is often the enzyme for the foundation of a terrorist State and things like that are very worrying. With a law like this, we would attack and check a lot of the aspects of these violent crimes against our economy and other citizens of the world.

I sponsored with some of my Colleagues, a Bill similar to this one, which was called, *the Security Enhancement Bill*. I defined it that way because the word terrorism is something that is very emotive and sometimes could be politically charged. I hope that when this Bill goes to whatever Committee this Senate decides to refer it to, they would take a look at my Bill again and marry the two.

Finally, as a Member of the Senate Foreign Affairs Committee and also an Ambassador of this country in Israel, incidents happening in that country evoke both passion and hatred. Without doubt, they took certain measures that helped them and I hope that the measures we will take in this country, particularly in addressing the root causes of terrorism, like social imbalance, very bad economic situation, poverty and corruption of public officers would help us. Once we address that it would make the ground less fertile for terrorism.

By and large, this is a very good Bill but we should support it with the caveat that we are helping to make ourselves good international citizens and this is what is in Section 19 of our Constitution. Once we do that we would be integrated more fully. Already, this government has taken several steps. With the visit by the Acting President to Washington, discussions and so on, we are being reintegrated and whether we like it or not, we cannot isolate ourselves, no matter how rich we are. We need the Western friends as much as they need us and one way to endear ourselves to their hearts is to make sure that we pass this Bill within the cultural reality of our time.

**Senator Patrick E. Osakwe** (Delta North): Mr. President. I would begin by condemning that concept

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called terrorism in its entirety. I want to also say that the rating we saw this morning from the lead debate is embarrassing to this nation. It is embarrassing in many respects; that out of nine criteria, we are able only to partially comply to two and non-compliant in seven. It is enough to engineer this Bill; it is enough to cause concern to this Senate and for this nation; it is enough for us to go back to the drawing board and find out what we should do to get out of this rating.

You will agree with me that absence of equity can breed terrorism. If you look at countries like the United States of America, you can hardly find terrorism there because there is equity. It is this lack of equity that is our major problem. In America, nobody bothers where you come from; whether you come from a small State. A State like Arkansas produced a President that ruled America for eight years. They do not bother where you come from and that is the best way to show that equity is working. But when we come to Africa or Nigeria, to be precise; do we have equity? Is equity present? We talk of being the giant of Africa. Terrorism can be classified as international terrorism and domestic terrorism. Domestic terrorism must be distinguished from what we call freedom fighters. These are not terrorists. Terrorism is very clear; you do not even have to tell somebody that this is a terrorist act. Somebody would come and kidnap you, against your will and you say that it is not terrorism. We have to call a spade a spade.

For us to really attack this terrorism we must be seen not to be breeding it; we must cleanse our houses. My father told me: *do not ever divide what you forbid with your teeth*. We should not be criticizing terrorism while we are breeding one. We must make sure that our society is free and just, so that when we come out to criticize the act of terrorism, we must not be seen to be a terrorist. This terrorism that has been visiting our nation of recent has the multiplier effect of deterring all foreign investors. They are afraid of being kidnapped. So something must be done and what would be done is what we are discussing today. This very Bill will solve that problem and send a message to the International Community that Nigeria has woken up to the rating of being the giant of Africa.

I support this Bill in its entirety because I feel that it is a giant attempt at solving the problem that will really catapult the rating of this nation Nigeria, to where we rightly belong.

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**Senator Effiong D. Bob** (Akwa-Ibom North-East): Mr. President, I support this Bill in the sense that prevention is better than cure. Nigeria should not be seen to wait any longer to be able to do what is being done in other countries. I also agree that the issue of terrorism should be taken very seriously. I can imagine what the rating is.

Look at the issue of non-profit organizations that are being registered in this country. From the lead debate, we have seen that there is no legal requirement for registration or destruction of transactions. From the accounting records by these non-profit organizations, what are the sources of the funding? Who are the people behind? They use it to encourage and support the illegal transactions which may lead to financing of groups that are engaged or likely to engage in act of terrorism. By the passage of this Bill, we would be able to monitor all these NGOs and all the other organizations that are using different means to extort money and use it for the benefit of some of these groups that would act as terrorists.

I want to also say that not all acts of criminality within the country can be termed terrorist acts. There are some legitimate demands for economic emancipation by people, intimate demands for social equality, intimate demands for equity and fair play in application and usage of resources derivable from a particular or some sections of a country. Those are demands that are different from act of terrorism. I want to say that issues like economic sabotage, such as somebody destroying PHCN installations is act of economic sabotage which could also be termed as terrorist act because the destruction affects the economy and the individual rights. I agree that the human rights should be looked into in defining act of terrorism but then those rights should also be subject to the general well being of other citizens' rights.

I want to say that this Bill would bring Nigeria to the level of other countries. Recently, we were delisted. When Americans said that we were in the terrorist list, everybody was reacting that Nigeria is not. It is true that Nigeria is not, but the tendency of being there in future is there. Therefore, we have to curtail it at this moment by passing this Bill into law.

I also want to say that the rating as clearly stated in the lead debate is very alarming. I am surprised that up till now we have failed to do what we ought to have done some years back; but it is better to be late than never because nobody knows who will be affected.

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Recently, we noticed an attempt to blow off an aircraft in Calabar Airport. Somebody drove a vehicle and passed all the gates to a waiting Aircraft with over 100 passengers. If that is not an act of terrorism, I do not know what it is. We should do everything possible to ensure that Nigeria is in the fore-front of the fight against terrorism whether domestic or international.

I want to say that there is already an existing Bill in this Hallowed Chamber on Anti-Terrorism. When this Bill is eventually referred to the relevant Committee, they will have to look at it along side another Bill that is before this Hallowed Chamber and harmonize those issues; the definitions and the punishment that are clearly stated in that other Bill too and bring it to common position.

I wish to urge my distinguished Colleagues that this Bill is timely and should be supported.

**Senator Abubakar Danso Sodangi** (Nasarawa West): Mr. President, I support this very important Bill presented by our Senate Leader. It is very important in the sense that Nigeria cannot be an Island in itself; we must also join the global world in fighting terrorism. Let me quickly say that I do not subscribe to Nigeria being a terrorist country. We do not belong to that group and we shall never belong to that group.

It is true that we have pockets of problems here and there; what we may call domestic crisis and it was even mentioned in the lead debate. The *Boko Haram* in Borno State, the *Alikato* in Bauchi and the Jos crisis are very worrisome to all Nigerians; but we can control them. This is because if we do not control them, it could be the beginning of a breeding ground to act of terrorism against Nigeria and by extension against other foreigners that may be here.

The Jos crisis has been happening and we have been asking ourselves what could be the cause? Is it economic or religious? Why the killings? I believe that our religious leaders, the clergy men, the Imams, the *Ulamas* and the politicians must have a solution to this. We have been bastardized and named everyday in the Internet and CNN on the Jos crisis and it is being termed as an act of terrorism; certainly, it is not but it is near to that.

*Boko Haram* is nothing but religious fanaticism and we must talk to our *Ulamas* to tell the people concerned that fundamentalism and being fanatic is not

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an Islamic principle at all. Be yourself, teach the gospel but you do not have to go and kill anybody.

Further, on international terrorism, unfortunately some months back, we have been stigmatised because our son, Mutalab was caught in that unfortunate calamity that we all know. For that singular act, America, who is the watchdog of acts of terrorism all over the world, said that Nigeria should be listed in the world's list of terrorist states. But with the intervention of the leaders like you and all of us saying that we are not, we have been de-listed. That is not to say that they are not concerned. We are concerned and we also want to have a free society and we want other countries to be free. As has been said by many, we must be just to ourselves. The basis of terrorism is the dissatisfaction of a few with either the sitting government or against a kind of oppression or suppression.

I subscribe to the Bill but more importantly, Nigeria must comply with international Conventions. As a very active member of the Senate Committee on Foreign Affairs, I want to say that we have been bombarded with complaints, interventions and enquiries on what is happening in Nigeria. When we go abroad, we were also asked; so we have to comply with all activities that are waiting to be attended to; but certainly not to satisfy a particular country; as to say; it is the United States and we must do it. We want to be a friendly country not only to the United States but to all other developed democracies so that we can say that we are growing politically. Also, mindful of what is expected of us as a developing country, we should ensure that we are attending to our security and the security of other citizens of the world. The only merit that we would accord this Bill is to ensure that we comply substantially with what is expected of us in the global world.

I subscribe to this Bill; not only as a member of Senate Committee on Foreign Affairs but as an advocate of human right value.

**Senator Mohammed A. Mohammed** (Bauchi Central): Like some earlier speakers said, terrorism could be classified into local, internal or international terrorism. Talking about international terrorism, the Western World has always aligned it with religion. This is very wrong, because Islam does not encourage terrorism or killing of any type but they always associate international terrorism with religion.

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We have to look back on how terrorism started, particularly international terrorism. It started with the plane hijacking in the 70s. Who were the people that were hijacking planes? To our people, they were the subjects of injustice somewhere who had no way of reprisal other than hijack a plane and punish the passengers of a particular nation. The greatest remedy against terrorism is, first and foremost, justice and fair play locally and internationally. It is good to have the regulation, the Bill or the Law in place but the greatest remedy is justice and fair play. This is because if you do not have a just world, you would always have problem and failed States.

In the Gulf of Somali now, ships are hijacked and ransom sums are called for because Somali became a failed State and the world was looking on. The G7 was looking without taking any action and everybody is now complaining about what is happening.

We do not have any international terrorist in Nigeria. In fact, the listing of Nigeria as part of terrorist countries was done in panic and that was why the delisting followed. On the local terrorism, first of all, we are ignorant and the remedy to that would be through education and employment because unemployment creates local terrorism; then, as I said earlier, justice, fair play and the rule of law.

As far as I am concerned, during election, if political parties hire thugs to go and take away ballot boxes or rig election, that is local terrorism. Unless we have respect for the rule of law, there is no amount of legislation that we pass in this Chamber, there will always be problem of terrorism.

The other important issue is corruption because all these remedies I mentioned are being hampered by corruption. If you vote money for the Educational Section, half of it would be stolen. If you vote money for the Health Sector, three-quarters of it would be stolen. Unless Nigerians fight corruption, we can never get out of these social problems; terrorism being one of them.

I suggest good governance, which means electing those people who would run the country properly; those who call themselves the biggest party in Africa have failed the nation and good governance would stop that.

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**Senator Ibrahim Mohammed Ida** (Katsina Central): Mr. President, this Bill seeks to monitor financial transactions with a view to ascertaining whether or not there is a nexus between such transactions and terrorism. The only problem I have here is that these are really not our prescriptions. Virtually, we are adopting prescriptions that have been decided by the outside world and we can only be compliant if we adopt them into our local laws. There is no problem with that.

There are two aspects to the matter. There is the aspect of financial transaction and also the physical aspect of terrorism. I believe that we have been shying away from the fact that inasmuch as we need to monitor our financial transactions and see that money does not go from either illegitimate or legitimate sources to financing of terrorism, we should also know that the battle does not end there. It is commendable, but there is also the need for us to internally take steps to ensure that we address the issue of terrorism in all its ramifications. A Senator earlier said that kidnapping is not terrorism; with all due respect, I beg to disagree with him. This is because a terrorist is someone who uses cohesive method for the purpose of achieving personal, political or other primordial interests. Whether you kidnap or blow up an aircraft, you are a terrorist.

Internally, we also need to prepare ourselves. America has prepared itself physically. In fact, as a move to checking terrorism, they said that they have a means of security to co-ordinate the activities of both the Military and the Security Agencies. But in Nigeria, I believe that we are shying away from taking real steps that would check terrorism. Here I am talking about preparing our Law Enforcement Agencies and Armed Forces to really address the issues internally.

If we take issues like the *Boko Haram* in Borno, the Jos Crisis, *et cetera*, there is one common thing. First of all, there were indications that such things were about to happen or could happen. Secondly, there were indications that the perpetrators of those crises were making pronouncements. But, whether out of ignorance or something, we did not take the required measures to ensure that we checked against those things.

What were we supposed to do? Firstly, if our Law enforcement Agents had the heart to do this, they still lacked the modern gadgets and equipment to perform. When we deploy our Military and Armed Forces for such things, are they properly equipped to perform such

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functions? With all due respect, I want to say that inasmuch as a lot has been done, we still need to do more.

First of all, we should empower and equip our Security and Law Enforcement Agencies to check the influx of weapons into this country. Secondly, there should be proper punishment for those that are found to be involved in acts that could be related to terrorism. Thirdly, there should be an interface with the international community through the exchange of information and cross border because we are becoming not so much a terrorist State but rather an environment where terrorists could likely be recruited or funds channelled for terrorism and we need to take steps. Fourthly, the origin of terrorism both locally and internationally as has been said, is a function of inequities and injustices both internationally and locally.

We need to evolve policies that will improve on social justice and bring about social issues as employment and good healthcare. Most importantly, we need to evolve policies that will strengthen the fabric of family life, because at the moment it seems to be out of affluence or what-have-you that we seem to be down playing on the need to strengthen the family to enable every family member realise that he or she is responsible and accountable to the members of his family both immediate and at large.

This is a Bill that its time has come and as was said by a Colleague, there is nothing stronger than the idea that its time has come. This Bill is overdue and I recommend very strongly that this Senate gives it an expeditious treatment so that it could be passed as quickly as possible.

**Senator Eme Ufot Ekaette** (Akwa Ibom South): Mr. President, I support this Bill but I have a few observations which must have been mentioned by my Colleagues before now. We have to be careful in arriving at the content of this Bill so that we do not violate the human rights components of this country. Nigeria is very vulnerable to terrorist attack; our people are being recruited, even though, silently; but the atmosphere is such that anything can happen in this country and we do not have the capacity to fight it. Even though we do not have arms in this country to train the people; our people are being trained outside and they could come into the country at anytime.

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I want to agree with some of my Colleagues who spoke about the training of those people who will apply this Bill to the country in that they should be able to have a distinction between terrorism and criminal acts. This is because it is not all the things that are being said to be terrorist acts that would be taken as such. We have a lot of criminal acts that are very painful to the recipients in this country and people would not be too happy if we throw away our human rights components in it.

Today, we have a lot of kidnapping in this country and there is a lot of fears around the people; so, security is very important. I believe that with this Bill, the perpetrators would be afraid to commit the act because there would be an Act on which judgment would be based. We need this Bill at anytime because the country is evolving; we have just finished with the problem that besieged a certain part of this country. We should be able to restrict the small arms that are coming into the country and are still coming in. We should be able to solve the problems that caused the agitations we experienced in certain parts of this country. We should be able to look at what those people who from nowhere have become so prosperous by having properties everywhere do. This Bill should be able to take care of methods that would be used to verify the sources of wealth that people flaunt on others. We should be able to put in place policies to man our Ports and Airports to check the inflow of arms and persons into the country and where some of these small arms are being manufactured in Nigeria. Most importantly, we should train our personnel in the military and give them enough arms and tools to work with.

We should look at the special areas of the Police that would be involved and train them properly to be able to interpret the wordings of this Bill. If we do all these we will prevent our country from being taken by surprise by terrorists who are all over the world and they are easily recruited.

With this, I want to say that this Bill is very necessary; we need it in this country to be able to prevent things that will harm our people. I want to support it and ask that the people that would work on it must be careful to distinguish between things that we will do and what will happen with the human rights aspect of our people.

**Senator Andrew Abidemi O. Babalola** (Oyo North): Mr. President, I have a Point of Order.

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**The President:** Point of Order, Senator Andrew Babalola.

**Senator Andrew Babalola:** My Point of Order is Order 55(2) which says: *During the debates on all motions and Bills, the President of the Senate shall allow speeches for the proposals first, followed by speeches against the proposal.*

Some of us are against this Bill and I have not heard anybody that spoke against this Bill. I am saying this because you said that you want to call the last person. It will be good enough to allow some Senators who have opinions against this Bill to express it.

**The President:** Your Point of Order is sustained because that is what it says. But how do I know who is against or who is for the Bill? You said that some of us are against the Bill. How many of you?

**Senator Andrew Babalola:** I am against the Bill.

**The President:** Who are the others with you? How can I apply the Point of Order when you said that you were more than one and apparently you are the only one? I would not know who is against or for the Bill. It is only by raising your hands that I will call you. If you get up and speak in favour of the Bill, good and fine and if you speak against, then that is your position; but your Point of Order is sustained because that is what the Order says.

**Senator Ayogu Eze** (Enugu North): I will abide by the advice that I should speak for only two minutes. I rise to support this Bill because as has been said by my Colleagues, it is a Bill whose time has come. In supporting the Bill, I really wish to caution against the attempts by some of our Colleagues to create a dichotomy between whether it is domestic law or a law imported from outside.

Terrorism does not have boundary. If the plane that was supposed to have been blown up was successful, there was no way we would know how many Nigerians were on that plane. We have to be conscious of the fact that it is an international act that can happen anywhere.

I also want to express my surprise that the International Community has not treated us even worse than we were treated recently. When we were put on the watch list, a lot of us cried out; but I did not know,



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except now when I was going through this lead debate, that we have not fulfilled all our international obligations with respect to fighting terrorism.

As has been said by others, I suggest that we must give this Bill expedite treatment and bring ourselves in conformity with other members of the international community. With this few words I support this Bill and enjoin my Colleagues to do so.

**Senator Andrew Babalola** (Oyo North): I am not against the Senate passing this Bill but I am against the intent and content of what we have today.

**The President:** You cannot come through the back door this way because you said that you want to speak against. This is because you started by saying that you are not against the Bill but you are against the intent.

**Senator Babalola:** I am not saying that I am in favour of the Bill.

**The President:** I did not hear you. What I thought you said was that you were not against the Bill but against the intent.

**Senator Andrew Babalola:** Mr. President, from all the contributions that I have heard on the Floor of the Senate today, it seems that everybody is talking about what is called physical terrorism. What we have on our hands today is financial transaction control. By passing this Bill, we are eventually handing this country over to the imperialist world to control our financial transactions.

We must have it at the back of our minds that we are a nation of cash and carry as at today. Many of our business men and women are being harassed outside the country. I am sure that many of us here have gone outside this country and have been harassed by immigration one way or the other by having money on you; yet we are not allowed to have a bank account overseas. This is a cash and carry economy; so why are you supporting this Bill and considering it?

I have not seen anything about terrorism here. This Bill is on how to control money being transferred outside Nigeria and people doing business outside Nigeria. We must take our time to look at what we are talking about. There are already laws on ground and in Nigeria today you cannot transfer more than \$10,000 to anywhere in the country. They are already controlling our economy. Somebody somewhere wants to know

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how much we spend everyday, where we spend and when we spend it. This is against people's right. We must consider these issues very much while considering this Bill.

Everybody is talking about terrorism and we are defending terrorism; but what is here is not about terrorism. I have not seen anything about terrorism in it. It is about how much is being carried across the border. What has that got to do with terrorism? This is a country where so many people do not keep their money in the bank; they keep their money in their rooms. Let us take a second look at this Bill.

I am not saying that we should not be part of the international community; we want to be. If you look at it, you will understand why it has taken so long for people to ratify it. This is because people in authority have looked at it and they consider our economic situations and environment. It is on the basis of this that we need to take a second look at this Bill.

**The President:** Thank you, Senator Andrew Babalola. Maybe I am not reading the same Bill with you, but I am just looking at the Bill itself to see whether there is nothing about terrorism there. But the copy I have is all about terrorism, although there are aspects of money transfer and all others. There is money laundering also, maybe that is the one you are talking about. I hope that you have not got the lead debate for that? It is possible that you have the lead debate for the Money Laundering Act.

Senator Babalola, I want to thank you for your contributions. Indeed, the definition of terrorism is gaining all sorts of dimensions these days and we have to be very careful. But there is no doubt that we need to be among the countries of the world that have actually enacted this Act so that we can be one of the countries in the world that is recognized as being against terrorism. It has no boundary, nobody knows when and who would commit it and it is only proper that we pass this Bill.

From the contributions, this is one of the Bills that had the highest number of contributors. About 20 Senators contributed to this and very positively too. I would like to thank you for your contributions and I believe that once this Bill goes to the Committees responsible, they will get it back as quickly as possible so that we can pass it.

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From the lead debate you can see that we have been actually non-compliant in virtually everything here as most of you have observed and that is not good for our own image and our rating as giant in Africa. Whatever the reasons for or against terrorism, the reasons for the causes are just not good enough for us not to pass this and that is the more reason why we should pass this. I know that good governance is the main factor here, but not having good governance is just not a good enough reason for anybody to get himself involved or become a terrorist. Two wrongs do not make a right.

Once more distinguished Colleagues, I want to thank you for your contributions. I can now put the Question.

*Question put and agreed to.*

*(Bill read the Second Time and referred to the Committees on National Security and Intelligence; Judiciary and Foreign Affairs and to report back in two weeks)*

**Senator Teslim Kolawole Folarin** (Oyo Central): Mr. President, I respectfully move that we step down all other items on the Order Paper till another legislative day.

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**Senator Maina Ma'aji Lawan** (Borno North): Mr. President, I second the Motion that we step down the remaining items on our Order Paper till another legislative day.

*Question put and agreed to.*

*(By leave of the Senate all other items on the Order Paper stood down till another legislative day).*

### ADJOURNMENT

**Senator Teslim K. Folarin:** Mr. President, I now move that this Senate do adjourn till tomorrow, Thursday, 29<sup>th</sup> April, 2010 at 10.00 a.m.

**Senator Maina Ma'aji Lawan:** Mr. President, I second the Motion that the Senate do adjourn till tomorrow, Thursday 29<sup>th</sup> April, 2010 at 10.00 a.m. prompt.

*Question put and agreed to.*

*Resolved:* That the Senate do adjourn till tomorrow, Thursday, 29<sup>th</sup> April, 2010 at 10.00 a.m. prompt.

*The Senate adjourned accordingly at 1.05 p.m.*